

S K E T C H E S
OF THE
HISTORY OF MAN.
CONSIDERABLY ENLARGED
BY THE LAST ADDITIONS AND CORRECTIONS
OF THE AUTHOR.
VOLUME IV.

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FOR REFERENCE ONLY
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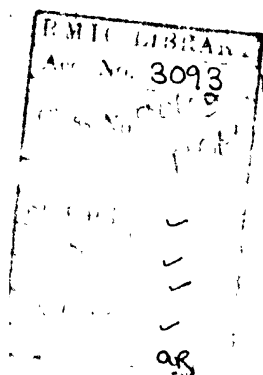
IN FOUR VOLUMES.

VOLUME IV.

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S K E T C H E S
O F T H E
H I S T O R Y O F M A N .

B O O K I I I .
P r o g r e s s o f S C I E N C E S .

S K E T C H I I .
Principles and Progress of Morality.

THE principles of morality are little understood among savages : and if they arrive at maturity among enlightened nations, it is by slow degrees. This progress points out the historical part, as first in order : but as that history would give little satisfaction, without a rule for comparing the morals of different ages, and of different nations,

I begin with the principles of morality, such as ought to govern at all times, and in all nations. The present sketch accordingly is divided into two parts. In the first, the principles are unfolded; and the second is altogether historical.

P A R T I.

Principles of Morality.

S E C T. I.

Human Actions analysed.

THE hand of God is no where more visible, than in the nice adjustment of our internal frame to our situation in this world. An animal is endued with a power of self-motion; and in performing animal functions, requires no external aid. This in particular is the case of man, the noblest of terrestrial beings. His heart beats, his blood circulates, his stomach digests, &c. &c. By what means? Not surely

surely by the laws of mechanism, which are far from being adequate to such operations. They are effects of an internal power, bestow'd on man for preserving life. The power is exerted uniformly, and without interruption, independent of will, and without consciousness.

Man is a being susceptible of pleasure and pain: these generate desire to attain what is agreeable, and to shun what is disagreeable; and he is possessed of other powers which enable him to gratify his desires. One power, termed *instinct*, is exerted indeed with consciousness; but without will, and consequently without desiring or intending to produce any effect. Brute animals act for the most part by instinct: hunger prompts them to eat, and cold to take shelter; knowingly indeed, but without exerting any act of will, and without foresight of what will happen. Infants of the human species are, like brutes, governed by instinct: they apply to the nipple, without knowing that sucking will satisfy their hunger; and they weep when pained, without any view of relief. But men commonly are governed by desire and intention. In the progress from infancy

to maturity, the mind opens to objects without end, agreeable and disagreeable, which raise in us a desire to attain the former and avoid the latter. The will is, influenced by desire; and the actions thus performed are termed *voluntary*.

But to have an accurate conception of human nature, it is necessary to be more particular. To incline, to intend, to consent, to resolve, to will, are acts of the mind preparatory to external action. These several acts are well understood, tho' they cannot be defined, being perfectly simple. As every act implies a power to act, the acts mentioned must be the effects of mental powers. The mind cannot determine without having a power to determine, nor will without having a power to will.

Instinctive actions are exerted without any previous desire or motive, and without any previous act of will. Actions influenced by desire or motives are very different. In such actions, will is essential to connect the desire or motive with the external act. A man who desires or is moved to perform an external act in view, must have a power to determine himself: that power is termed *will*; and the determination

mination is an act of will. With respect to external acts influenced by desire, we cannot even move a finger, without a previous act of will directing that motion. We are very sensible of this determination or act of will, when we deliberate upon motives that tend to different ends. The mind for some time is suspended, deliberates, and at last determines according to the strongest motive. But there must also be a determination where there is but a single motive, though not so perceptible. Being called to dinner when hungry, I instantly obey the call. I cannot go to dinner without first determining to rise from my seat. And it is this determination that intitles it to be called a voluntary act, as much as where the determination is the result of the most anxious deliberation.

Some effects require a train of actions; walking, reading, singing. Where these actions are uniform, as in walking, or nearly so, as in playing on a musical instrument, an act of will is only necessary at the commencement: the train proceeds by habit without any new act of will. The body is antecedently adjusted to the uniform progress; and is disturbed if any
thing

thing unexpected happen : in walking, for example, a man feels a shock if he happen to tread on ground higher or lower than his body was prepared for. The power thus acquired by habit of acting without will, is an illustrious branch of our nature ; for upon it depend all the arts, both the fine and the useful. To play on the violin, requires wonderful swiftness of fingers, every motion of which in a learner is preceded by an act of will : and yet by habit solely, an artist moves his fingers with no less accuracy than celerity. Let the most handy person try for the first time to knit a stocking : every motion of the needle demands the strictest attention ; and yet a girl of nine or ten will move the needle so swiftly as almost to escape the eye, without once looking on her work. If every motion in the arts required a new act of will, they would remain in infancy for ever ; and what would man be in that case ? In the foregoing instances, we are conscious of the external operation without being conscious of a cause. But there are various internal operations of which we have no consciousness ; and yet that they have existed is made known by their effects.

effects. Often have I gone to bed with a confused notion of what I was studying; and have awaked in the morning completely master of the subject. I have heard a new tune of which I carried away but an imperfect conception. A week or perhaps a fortnight after, the tune has occurred to me in perfection; recollecting with difficulty where I heard it. Such things have happened to me frequently, and probably also to others. My mind must have been active in these instances, though I knew nothing of it.

There still remains another species of actions, termed *involuntary*. Strictly speaking, every action influenced by a motive is *voluntary*, because no such action can be done but by an antecedent act of will. But in a less strict sense, actions done contrary to desire are termed *involuntary*; and they have more or less of that character according to the strength of the motive. A man to free himself from torture, reveals the secrets of his party: his confession is in a degree involuntary, being extorted from him with great reluctance. But let us suppose, that after the firmest resolution to reveal nothing, his mind is unhinged by
exquisite

exquisite torture: the discovery he makes is in the highest degree *involuntary*.

Man is by his nature an accountable being, answerable for his conduct to God and man. In doing any action that wears a double face, he is prompted by his nature to explain the same to his relations, his friends, his acquaintance; and above all, to those who have authority over him. He hopes for praise for every right action, and dreads blame for every one that is wrong. But for what sort of actions does he hold himself accountable? Not surely for an instinctive action, which is done blindly, without intention and without will: neither for an involuntary action, because it is extorted from him reluctantly, and contrary to his desire; and least of all, for actions done without consciousness. What only remain are voluntary actions proceeding from desire, which are done as we say wittingly and willingly: for these we must account, if at all accountable; and for these every man in conscience holds himself bound to account.

Further upon voluntary actions. To intend and to will, though commonly held synonymous, signify different acts of the mind,

mind. Intention respects the effect: Will respects the action that is exerted for producing the effect. It is my Intention, for example, to relieve my friend from distress: upon seeing him, it is my Will to give him a sum for his relief: the external act of giving follows; and my friend is relieved, which is the effect intended. But these internal acts are always united: I cannot will the means, without intending the effect; and I cannot intend the effect, without willing the means.

Some effects of voluntary action follow necessarily: A wound is an effect that necessarily follows the stabbing a person with a dagger: death is a necessary effect of throwing one down from the battlements of a high tower. Some effects are probable only: I labour in order to provide for my family; fight for my country to rescue it from oppressors; take physic for my health. In such cases, the event intended does not necessarily nor always follow.

A man, when he wills to act, must intend the necessary effect: a person who stabs, certainly intends to wound. But where the effect is probable only, one may

act without intending the effect that follows: a stone thrown by me at random into the market-place, may happen to wound a man without my intending it. One acts by instinct, without either will or intention: voluntary actions that necessarily produce their effect, imply intention: voluntary actions, when the effect is probable only, are sometimes intended, sometimes not.

Human actions are distinguished from each other by certain *qualities*, termed *right* and *wrong*. But as these make the corner-stone of morality, they are reserved to the following section.

S E C T. II.

Division of Human Actions into Right, Wrong, and Indifferent.

THE qualities of right and wrong in voluntary actions, are universally acknowledged as the foundation of morality; and yet philosophers have been strangely perplexed about them. The history

story of their various opinions, would signify little but to darken the subject: the reader will have more satisfaction in seeing these qualities explained, without entering at all into controversy.

No person is ignorant of primary and secondary qualities, a distinction much insisted on by philosophers. Primary qualities, such as figure, cohesion, weight, are permanent qualities, that exist in a subject whether perceived or not. Secondary qualities, such as colour, taste, smell, depend on the percipient as much as on the subject, being nothing when not perceived. Beauty and ugliness are qualities of the latter sort: they have no existence but when perceived; and, like all other secondary qualities, they are perceived intuitively; having no dependence on reason nor on judgement, more than colour has, or smell, or taste (*a*).

The qualities of right and wrong in voluntary actions, are secondary, like beauty and ugliness and the other secondary qualities mentioned. Like them, they are objects of intuitive perception, and depend not in any degree on reason. No argu-

(*a*) *Elements of Criticism*, vol. 1. p. 207. edit. 5.

ment is requisite to prove, that to rescue an innocent babe from the jaws of a wolf, to feed the hungry, to clothe the naked, are right actions: they are perceived to be so intuitively. As little is an argument requisite to prove, that murder, deceit, perjury, are wrong actions: they are perceived to be so intuitively. The Deity has bestow'd on man, different faculties for different purposes. Truth and falsehood are investigated by the reasoning faculty. Beauty and ugliness are objects of a sense, known by the name of *taste*. Right and wrong are objects of a sense termed the *moral sense* or *conscience*. And supposing these qualities to be hid from our perception, in vain would we try to discover them by any argument or process of reasoning: the attempt would be absurd; no less so than an attempt to discover by reasoning colour, or taste, or smell *.

Right

* Every perception must proceed from some faculty or power of perception, termed *sense*. The moral sense, by which we perceive the qualities of right and wrong, may be considered either as a branch of the sense of feeling, by which we perceive the actions to which these qualities belong, or as a
sense

Right and wrong, as mentioned above, are qualities of voluntary actions, and of no other kind. An instinctive action may be agreeable, may be disagreeable; but it cannot properly be denominated either right or wrong. An involuntary act is hurtful to the agent, and disagreeable to the spectator; but it is neither right nor wrong. These qualities also depend in no degree on the event. Thus, if to save my friend from drowning I plunge into a river, the action is right, tho' I happen to come too late. And if I aim a stroke at a man behind his back, the action is wrong, tho' I happen not to touch him.

The qualities of right and of agreeable, are inseparable; and so are the qualities of wrong and of disagreeable. A right action is agreeable, not only in the direct perception, but equally so in every subse-

sense distinct from all others. The senses by which objects are perceived, are not separated from each other by distinct boundaries: the sorting or classing them, seems to depend more on taste and fancy, than on nature. I have followed the plan laid down by former writers; which is, to consider the moral sense as a sense distinct from others, because it is the easiest and clearest manner of conceiving it.

quent

quent recollection. And in both circumstances equally, a wrong action is disagreeable.

Right actions are distinguished by the moral sense into two kinds, what *ought* to be done, and what *may* be done, or left undone. Wrong actions admit not that distinction: they are all prohibited to be done. To say that an action ought to be done, means that we are tied or obliged to perform; and to say that an action ought not to be done, means that we are restrained from doing it. Tho' the necessity implied in the being tied or obliged, is not physical, but only what is commonly termed *moral*; yet we conceive ourselves deprived of liberty or freedom, and necessarily bound to act or to forbear acting, in opposition to every other motive. The necessity here described is termed *duty*. The moral necessity we are under to forbear harming the innocent, is a proper example: the moral sense declares the restraint to be our duty, which no motive whatever will excuse us for transgressing.

The duty of performing or forbearing any action, implies a *right* in some person to exact performance of that duty; and
accordingly,

accordingly, a duty or obligation necessarily infers a corresponding right. My promise to pay L. 100 to John, confers a right on him to demand performance. The man who commits an injury, violates the *right* of the person injured; which entitles that person to demand reparation of the wrong.

Duty is twofold; duty to others, and duty to ourselves. With respect to the former, the doing what we ought to do, is termed *just*: the doing what we ought not to do, and the omitting what we ought to do, are termed *unjust*. With respect to ourselves, the doing what we ought to do, is termed *proper*: the doing what we ought not to do, and the omitting what we ought to do, are termed *improper*. Thus, *right*, signifying a quality of certain actions, is a genus; of which *just* and *proper* are species: *wrong*, signifying a quality of other actions, is a genus; of which *unjust* and *improper* are species.

Right actions left to our free will, to be done or left undone, come next in order. They are, like the former, right when done; but they differ, in not being wrong when left undone. To remit a just debt
for

for the sake of a growing family, to yield a subject in controversy rather than go to law with a neighbour, generously to return good for ill, are examples of this species. They are universally approved as right actions: but as no person has a right or title to oblige us to perform such actions, the leaving them undone is not a wrong: no person is injured by the forbearance. Actions that come under this class, shall be termed *arbitrary* or *discretionary*, for want of a more proper designation.

So much for right actions, and their divisions. Wrong actions are of two kinds, *criminal* and *culpable*. What are done intentionally to produce mischief, are *criminal*: rash or unguarded actions that produce mischief without intention, are *culpable*. The former are restrained by punishment, to be handled in the 5th section; the latter by reparation, to be handled in the 6th.

The divisions of voluntary actions are not yet exhausted. Some there are that, properly speaking, cannot be denominated either right or wrong. Actions done merely for amusement or pastime, without intention

tention to produce good or ill, are of that kind ; leaping, for example, running, jumping over a stick, throwing a stone to make circles in the water. Such actions are neither approved nor disapproved : they may be termed *indifferent*.

There is no cause for doubting the existence of the moral sense, more than for doubting the existence of the sense of beauty, of seeing, or of hearing. In fact, the perception of right and wrong as qualities of actions, is no less distinct and clear, than that of beauty, of colour, or of any other quality ; and as every perception is an act of sense, the sense of beauty is not with greater certainty evinced from the perception of beauty, than the moral sense is from the perception of right and wrong. We find this sense distributed among individuals in different degrees of perfection : but there perhaps never existed any one above the condition of an idiot, who possessed it not in some degree ; and were any man entirely destitute of it, the terms *right* and *wrong* would be to him no less unintelligible, than the term colour is to one born blind.

That every individual is endued with a sense of right and wrong, more or less distinct, will probably be granted; but whether there be among men what may be termed a *common sense* of right and wrong, producing uniformity of opinion as to right and wrong, is not so evident. There is no absurdity in supposing the opinions of men about right and wrong, to be as various as about beauty and deformity. And that the supposition is not • destitute of foundation, we are led to suspect, upon discovering that in different countries, and even in the same country at different times, the opinions publicly espoused with regard to right and wrong, are extremely various; that among some nations it was held lawful for a man to sell his children for slaves, and in their infancy to abandon them to wild beasts; that it was held equally lawful to punish children, even capitally, for the crime of their parent; that the murdering an enemy in cold blood, was once a common practice; that human sacrifices, impious no less than immoral according to our notions, were of old universal; that even in later times, it has been held meritorious,
to

to inflict cruel torments for the slightest deviations from the religious creed of the plurality; and that among the most enlightened nations, there are at this day considerable differences with respect to the rules of morality.

These facts tend not to disprove the reality of a common sense in morals: they only prove, that the moral sense has not been equally perfect at all times, nor in all countries. This branch of the history of morality, is reserved for the second part. To give some interim satisfaction, I shall shortly observe, that the savage state is the infancy of man; during which, the more delicate senses lie dormant, leaving nations to the authority of custom, of imitation, and of passion, without any just taste of morals more than of the fine arts. But a nation, like an individual, ripens gradually, and acquires a refined taste in morals as well as in the fine arts: after which we find great uniformity of opinion about the rules of right and wrong; with few exceptions, but what may proceed from imbecillity, or corrupted education. There may be found, it is true, even in the most enlightened ages, men

who have singular notions in morality, and in many other subjects; which no more affords an argument against a common sense or standard of right and wrong, than a monster doth against the standard that regulates our external form, or than an exception doth against the truth of a general proposition.

That there is in mankind an uniformity of opinion with respect to right and wrong, is a matter of fact of which the only infallible evidence is observation and experience: and to that evidence I appeal; entering only a caveat, that, for the reason above given, the inquiry be confined to enlightened nations. In the mean time, I take liberty to suggest an argument from analogy, That if there be great uniformity among the different tribes of men in seeing and hearing, in pleasure and pain, in judging of truth and error, the same uniformity ought to be expected with respect to right and wrong. Whatever minute differences there may be to distinguish one person from another, yet in the general principles that constitute our nature, internal and external, there is wonderful uniformity.

This

This uniformity of sentiment, which may be termed *the common sense of mankind with respect to right and wrong*, is essential to social beings. Did the moral sentiments of men differ as much as their faces, they would be unfit for society: discord and controversy would be endless, and *major vis* would be the only rule of right and wrong.

But such uniformity of sentiment, tho' general, is not altogether universal: men there are, as above mentioned, who differ from the common sense of mankind with respect to various points of morality. What ought to be the conduct of such men? ought they to regulate their conduct by that standard, or by their private conviction? There will be occasion afterward to observe, that we judge of others as we believe they judge of themselves; and that private conviction is the standard for rewards and punishments (a). But with respect to every controversy about property and pecuniary interest, and, in general, about every civil right and obligation, the common sense of mankind is to every individual the standard, and not private con-

(a) Sect. 5. 3,093

viction or conscience; for proof of which take what follows.

We have an innate sense of a common nature, not only in our own species, but in every species of animals. And that our perception holds true in fact, is verified by experience; for there appears a remarkable uniformity in creatures of the same kind, and a difformity, no less remarkable, in creatures of different kinds. It is accordingly a subject of wonder, to find an individual deviating from the common nature of the species, whether in its internal or external structure: a child born with aversion to its mother's milk, is a wonder, no less than if born without a mouth, or with more than one.

Secondly, This sense dictates, that the common nature of man in particular, is invariable as well as universal; that it will be the same hereafter as it is at present, and as it was in time past; the same among all nations, and in all corners of the earth: nor are we deceived; because, allowing for slight differences occasioned by culture and other accidental circumstances, the fact corresponds to our perception.

Thirdly, We perceive that this common
nature

nature is *right* and *perfect*, and that it *ought* to be a model or standard for every human being. Any remarkable deviation from it in the structure of an individual, appears imperfect or irregular; and raises a painful emotion: a monstrous birth, exciting curiosity in a philosopher, fails not at the same time to excite aversion in every spectator.

This sense of perfection in the common nature of man, comprehends every branch of his nature, and particularly the common sense of right and wrong; which accordingly is perceived by all to be perfect, having authority over every individual as the ultimate and unerring standard of morals, even in contradiction to private conviction. Thus, a law in our nature binds us to regulate our conduct by that standard: and its authority is universally acknowledged; as nothing is more ordinary in every dispute about *meum et tuum*, than an appeal to common sense as the ultimate and unerring standard.

At the same time, as that standard, through infirmity or prejudice, is not conspicuous to every individual; many are misled into erroneous opinions, by mistaking

taking a false standard for that of nature. And hence a distinction between a right and a wrong sense in morals; a distinction which every one understands, but which, unless for the conviction of a moral standard, would have no meaning.

The final cause of this branch of our Nature is conspicuous. Were there no standard of right and wrong for determining endless controversies about matters of interest, the strong would have recourse to force, the weak to cunning, and society would dissolve. Courts of law could afford no remedy; for without a standard of morals, their decisions would be arbitrary, and of no authority. Happy it is for men to be provided with such a standard: it is necessary in society that our actions be uniform with respect to right and wrong; and in order to uniformity of action, it is necessary that our perceptions of right and wrong be also uniform: to produce such uniformity, a standard of morals is indispensable. Nature has provided us with that standard, which is daily apply'd by courts of law with success (a).

(a) See Elements of Criticism, vol. 2. p. 490. edit. 5.

In reviewing what is said, it must afford great satisfaction, to find morality established upon the solid foundations of intuitive perception; which is a single mental act complete in itself, having no dependence on any antecedent proposition. The most accurate reasoning affords not equal conviction; for every sort of reasoning, as explained in the sketch immediately foregoing, requires not only self-evident truths or axioms to found upon, but employs over and above various propositions to bring out its conclusions. By intuitive perception solely, without reasoning, we acquire knowledge of right and wrong; of what we may do, of what we ought to do, and of what we ought to abstain from: and considering that we have thus greater certainty of moral laws than of any proposition discoverable by reasoning, man may well be deemed a favourite of Heaven, when he is so admirably qualified for doing his duty. The moral sense or conscience is the voice of God within us; constantly admonishing us of our duty, and requiring from us no exercise of our faculties but attention merely. The celebrated Locke ventured

what he thought a bold conjecture, That moral duties are susceptible of demonstration: how agreeable to him would have been the discovery, that they are founded upon intuitive perception, still more convincing and authoritative!

By one branch of the moral sense, we are taught what we ought to do, and what we ought not to do; and by another branch, what we may do, or leave undone. But society would be imperfect, if the moral sense stopped here. There is a third branch that makes us accountable for our conduct to our fellow-creatures; and it will be made evident afterward in the third sketch, that we are accountable to our Maker, as well as to our fellow-creatures.

It follows from the standard of right and wrong, that an action is right or wrong, independent of what the agent may think. Thus, when a man, excited by friendship or pity, rescues a heretic from the flames, the action is right, even tho' he think it wrong, from a conviction that heretics ought to be burnt. But we apply a different standard to the agent: a man is approved and held to be innocent

cent in doing what he himself thinks right: he is disapproved and held to be guilty in doing what he himself thinks wrong. Thus, to assassinate an atheist for the sake of religion, is a wrong action; and yet the enthusiast who commits that wrong, may be innocent: and one is guilty, who against conscience eats meat in Lent, tho' the action is not wrong. In short, an action is perceived to be right or wrong, independent of the actor's own opinion: but he is approved or disapproved, held to be innocent or guilty, according to his own opinion.

S E C T. III.

Laws of Nature respecting our Moral Conduct in Society.

A Standard being thus established for regulating our moral conduct in society, we proceed to investigate the laws that result from it. But first we take under consideration, what other principles

concur with the moral sense to qualify men for society.

When we reflect on the different branches of human knowledge, it might seem, that of all subjects human nature should be the best understood; because every man has daily opportunities to study it, in his own passions and in his own actions. But human nature, an interesting subject, is seldom left to the investigation of philosophy. Writers of a sweet disposition and warm imagination, hold, that man is a benevolent being, and that every man ought to direct his conduct for the good of all, without regarding himself but as one of the number (*a*). Those of a cold temperament and contracted mind, hold him to be an animal entirely selfish; to evince which, examples are accumulated without end (*b*). Neither of these systems is that of nature. The selfish system is contradicted by the experience of all ages, affording the clearest evidence, that men frequently act for the sake of others, without regarding themselves, and sometimes in direct opposition to their own

(*a*) Lord Shaftesbury.

(*b*) Helvetius.

interest *. And however much selfishness may prevail in action; man cannot be an animal entirely selfish, when all men conspire to put a high estimation upon generosity, benevolence, and other social virtues: even the most selfish are disgusted with selfishness in others, and endeavour to hide it in themselves. The most zealous patron of the selfish principle, will not venture to maintain, that it renders us altogether indifferent about our fellow-creatures. Laying aside self-interest with every connection of love and hatred, good fortune happening to any one gives pleasure to all, and bad fortune happening to any one is painful to all. On the other hand, the system of universal benevolence, is no less contradictory to experience;

* Whatever wiredrawn arguments may be urged for the selfish system, as if benevolence were but refined selfishness, the emptiness of such arguments will clearly appear when applied to children, who know no refinement. In them, the rudiments of the social principle are no less visible than of the selfish principle. Nothing is more common, than mutual good-will and fondness between children: which must be the work of nature; for to reflect upon what is one's interest, is far above the capacity of children.

from

from which we learn, that men commonly are disposed to prefer their own interest before that of others, especially where there is no strict connection: nor do we find that such bias is condemned by the moral sense. Man in fact is a complex being, composed of principles, some benevolent, some selfish: and these principles are so justly blended in his nature, as to fit him for acting a proper part in society. It would indeed be losing time to prove, that without some affection for his fellow-creatures he would be ill qualified for society. And it will be made evident afterward (*a*), that universal benevolence would be more hurtful to society, than even absolute selfishness*.

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We

* “ Many moralists enter so deeply into one passion or bias of human nature, that, to use the painter’s phrase, they quite overcharge it. Thus “ I have seen a whole system of morals founded “ upon a single pillar of the inward frame; and “ the entire conduct of life and all the characters “ in it accounted for, sometimes from superstition, “ sometimes from pride, and most commonly from “ interest. They forget how various a creature “ it is they are painting; how many springs and

(*a*) Sect. 4.

“ weights,

We are now prepared for investigating the laws that result from the foregoing principles. The several duties we owe to others shall be first discussed, taking them in order according to the extent of their influence. And for the sake of perspicuity, I shall first present them in a general view, and then proceed to particulars. Of our duties to others, one there is so extensive, as to have for its object all the innocent part of mankind. It is the duty that prohibits us to hurt others: than which no law is more clearly dictated by the moral sense; nor is the transgression of any other law more deeply stamped with the character of wrong. A man may be hurt externally in his goods, in his person, in his relations, and in his reputation. Hence the laws, Do not steal; Defraud not others; Do not kill nor wound; Be not guilty of defamation. A man may be hurt internally, by an action that occasions to him distress of mind, or by be-

“ weights, nicely adjusted and balanced, enter into
 “ the movement, and require allowance to be made
 “ for their several clogs and impulses, etc. you can
 “ define its operation and effects.” *Enquiry into the
 life and writings of Homer.*

ing

ing impressed with false notions of men and things. Therefore conscience dictates, that we ought not to treat men disrespectfully; that we ought not causelessly to alienate their affections from others; and, in general, that we ought to forbear whatever may tend to break their peace of mind, or tend to unqualify them for being good men and good citizens.

The duties mentioned are duties of restraint. Our active duties regard particular persons; such as our relations, our friends, our benefactors, our masters, our servants. It is our duty to honour and obey our parents; and to establish our children in the world, with all advantages internal and external: we ought to be faithful to our friends, grateful to our benefactors, submissive to our masters, kind to our servants; and to aid and comfort every one of these persons when in distress. To be obliged to do good to others beyond these bounds, must depend on positive engagement; for, as will appear afterward, universal benevolence is not a duty.

This general sketch will prepare us for particulars. The duty of restraint comes first in view, that which bars us from
harming

harming the innocent; and to it corresponds a right in the innocent to be safe from harm. This is the great law preparatory to society; because without it, society could never have existed. Here the moral sense is inflexible: it dictates, that we ought to submit to any distress, even death itself, rather than procure our own safety by laying violent hands upon an innocent person. And we are under the same restraint with respect to the property of another; for robbery and theft are never upon any pretext indulged. It is indeed true, that in extreme hunger I may lawfully take food where it can be found; and may freely lay hold of my neighbour's horse, to carry me from an enemy who threatens death. But it is his duty as a fellow-creature to assist me in distress; and when there is no time for delay, I may lawfully use what he ought to offer were he present, and what I may presume he would offer. For the same reason, if in a storm my ship be driven among the anchor-ropes of another ship, I may lawfully cut the ropes in order to get free. But in every case of this kind, it would be a wrong in me to use my neighbour's

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property, without resolving to pay the value. If my neighbour be bound to aid me in distress, conscience binds me to make up his loss*.

The

* This doctrine is obviously founded on justice; and yet, in the Roman law, there are two passages which deny any recompence in such cases. "Item
 " Labeo scribit, si cum vi ventorum navis impulsas
 " esset in funes anchorarum alterius, et nautæ funes
 " præcedissent; si nullo alio modo, nisi præcis
 " funibus, explicare se potuit, nullam actionem
 " dandam;" *l. 29. § 3. ad leg. Aquil.* "Quod dic
 " tur *damnum injuria datum Aquilia persequi*, sic
 " erit accipiendum, ut videatur *damnum injuria da*
 " *tum* quod cum *damno injuriam* attulerit; nisi
 " magna vi cogente, fuerit factum. Ut Celsus
 " scribit circa eum, qui incendii arcendi gratia
 " vicinas ædes intercidit: et si pervenit ignis,
 " siue antea extinctus est, existimat legis Aquil.
 " hæ actionem cessare" *l. 49. § 1. eod.* — [*In Eng-*
lish thus: "In the opinion of Labeo, if a ship
 " is driven by the violence of a tempest among the
 " anchor-ropes of another ship, and the sailors cut
 " the ropes, having no other means of getting free,
 " there is no action competent. — The Aquilian
 " law must be understood to apply only to such da
 " mage as carries the idea of an injury along with
 " it, unless such injury has not been wilfully done,
 " but from necessity. Thus Celsus puts the case of
 " a person who, to stop the progress of a fire, pulls
 " down his neighbour's house; and whether the
 " fire

The prohibition of hurting others internally, is perhaps not essential to the formation of societies, because the transgression of that law doth not much alarm plain people: but where manners and refined sentiments prevail, the mind is susceptible of more grievous wounds than the body; and therefore, without that law, a polished society could have no long endurance.

By adultery, mischief is done both external and internal. Each sex is so constituted, as to require strict fidelity and attachment in a mate. The breach of these duties is the greatest external harm

“ fire had reached that house which is pulled down,
 “ or was extinguished before it got to it, in neither
 “ case, he thinks, will an action be competent from
 “ the Aquilian law.”] — These opinions are undoubtedly erroneous. And it is not difficult to say what has occasioned the error: the cases mentioned are treated as belonging to the *lex Aquilia*; which being confined to the reparation of wrongs, lays it justly down for a rule, that no action for reparation can lie, where there is no *culpa*. But had Labeo and Celsus adverted, that these cases belong to a different head, viz. the duty of recompence, where one suffers loss by benefiting another, they themselves would have had no difficulty of sustaining a claim for making up that loss.

that can befall them: it harms them also internally, by breaking their peace of mind. It has indeed been urged, that no harm will ensue, if the adultery be kept secret; and consequently, that there can be no crime where the fact is kept secret. But such as reason thus do not advert, that to declare secret adultery to be lawful, is in effect to overturn every foundation of mutual trust and fidelity in the matrimonial state. It is clear beyond all doubt, says a reputable writer, that no man is permitted to violate his faith; and that the man is unjust and barbarous who deprives his wife of the only reward she has for adhering to the austere duties of her sex. But an unfaithful wife is still more criminal, by dissolving the whole ties of nature: in giving to her husband children that are not his, she betrays both, and joins perfidy to infidelity (a).

Veracity is commonly ranked among the active duties; but erroneously: for if a man be not bound to speak, he cannot be bound to speak truth. It is therefore only a restraining duty, prohibiting us to deceive others,

(a) *Emile*, liv. 5.

by affirming what is not true. Among the many corresponding principles in the human mind that in conjunction tend to make society comfortable, a principle of veracity*, and a principle that leads us to rely on human testimony, are two: without the latter, the former would be an useless principle; and without the former, the latter would lay us open to fraud and treachery. The moral sense accordingly dictates, that we ought to adhere strictly to truth, without regard to consequences.

It must not be inferred, that we are bound to explain our thoughts, when truth is demanded from us by unlawful means. Words uttered voluntarily, are nat-

* Truth is always uppermost, being the natural issue of the mind: it requires no art nor training, no inducement nor temptation, but only that we yield to natural impulse. Lying, on the contrary, is doing violence to our nature; and is never practiced, even by the worst of men, without some temptation. Speaking truth is like using our natural food, which we would do from appetite although it answered no end: lying is like taking physic, which is nauseous to the taste, and which no man takes but for some end which he cannot otherwise attain. *Dr Reid's Enquiry into the human mind.*

turally relied on, as expressing the speaker's mind; and if his mind differ from his words, he tells a lie, and is guilty of deceit. But words drawn from a man by torture, are no indication of his mind; and he is not guilty of deceit in uttering whatever words may be agreeable, however alien from his thoughts: if the author of the unlawful violence suffer himself to be deceived, he ought to blame himself, not the speaker.

It need scarce be mentioned, that the duty of veracity excludes not fable, nor any liberty of speech intended for amusement only.

Active duties, as hinted above, are all of them directed to particular persons. And the first I shall mention, is that between parent and child. The relation of parent and child, the strongest that can exist between individuals, binds these persons to exert their utmost powers in mutual good offices. Benevolence among other blood-relations, is also a duty; but not so indispensable, being proportioned to the inferior degree of relation.

Gratitude is a duty directed to our benefactors. But tho' gratitude is strictly a duty,

duty, the measure of performance, and the kind, are left mostly to our own choice. It is scarce necessary to add, that the active duties now mentioned, are acknowledged by all to be absolutely inflexible, perhaps more so than the restraining duties: many find excuses for doing harm; but no one hears with patience an excuse for deviating from truth, friendship, or gratitude.

Distress, tho' it has a tendency to convert benevolence into a duty, is not sufficient without other concurring circumstances; for to relieve every person in distress, is beyond the power of any human being. Our relations in distress claim that duty from us, and even our neighbours: but distant distress, without a particular connection, scarce rouses our sympathy, and never is an object of duty. Many other connections, too numerous for this short essay, extend the duty of relieving others from distress; and these make a large branch of equity. Tho' in various instances benevolence is converted into a duty by distress, it follows not, that the duty is always proportioned to the degree of distress. Nature has more wisely provided

vided for the support of virtue: a virtuous person in distress commands our pity: a vicious person in distress has much less influence; and if by vice he have brought on the distress, indignation is raised, not pity (*a*).

One great advantage of society, is the co-operation of many to accomplish some useful work, where a single hand would be insufficient. Arts, manufactures, and commerce, require many hands: but as hands cannot be secured without a previous engagement, the performance of promises and covenants is, upon that account, a capital duty in society. In their original occupations of hunting and fishing, men living scattered and dispersed, have seldom opportunity to aid and benefit each other; and in that situation, covenants, being of little use, are little regarded: but husbandry, requiring the co-operation of many hands, draws men together for mutual assistance; and then covenants make a figure: arts and commerce make them more and more necessary; and in a polished society great regard is paid to them.

(*a*) See *Elements of Criticism*, vol. 1. p. 187. edit. 5.

But

But contracts and promises are not confined to commercial dealings: they serve also to make benevolence a duty; and are even extended to connect the living with the dead: a man would die with regret, if he thought his friends were not bound by their promises to fulfil his will after his death: and to quiet the minds of men with respect to futurity, the moral sense makes the performing such promises our duty. Thus, if I promise to my friend to erect a monument for him after his death, conscience binds me, even tho' no person alive be entitled to demand performance: every one perceives this to be my duty; and I must expect to suffer reproach and blame, if I neglect my engagement.

To fulfil a rational promise or covenant, deliberately made, is a duty no less inflexible than those duties are which arise independent of consent. But as man is fallible, often misled by ignorance, and liable to be deceived, his condition would be deplorable, did the moral sense compel him to fulfil every engagement, however imprudent or irrational. Here the moral sense gives way to human infirmity: it relieves from deceit, from imposition,

from ignorance, from error; and binds a man by no engagement but what answers the end fairly intended. There is still less doubt that it will relieve us from an engagement extorted by external violence, or by overbearing passion. The dread of torture will force most men to submit to any terms; and a man in imminent hazard of drowning, will voluntarily promise all he has in the world to save him. The moral sense would be ill suited to the imbecillity of our nature, did it bind men in conscience to fulfil engagements made in such circumstances.

The other branch of duties, those we owe to ourselves, shall be discussed in a few words. *Propriety*, a branch of the moral sense, regulates our conduct with respect to ourselves; as *Justice*, another branch of the moral sense, regulates our conduct with respect to others. Propriety dictates, that we ought to act up to the dignity of our nature, and to the station allotted us by Providence: it dictates in particular, that temperance, prudence, modesty, and uniformity of conduct, are self-duties. These duties contribute to private happiness, by preserving health,
peace

peace of mind, and self-esteem; which are inestimable blessings: they contribute no less to happiness in society, by gaining the love and esteem of others, and aid and support in time of need.

Upon reviewing the foregoing duties respecting others, we find them more or less extensive; but none so extensive as to have for their end the good of mankind in general. The most extensive duty is that of restraint, prohibiting us to harm others: but even that duty has a limited end; for its purpose is only to protect others from mischief, not to do them any positive good. The active duties of doing positive good are circumscribed within still narrower bounds, requiring some relation that connects us with others; such as those of parent, child, friend, benefactor. The slighter relations, unless in peculiar circumstances, are not the foundation of any active duty: neighbourhood, for example, does not alone make benevolence a duty: but supposing a neighbour to be in distress, relief becomes our duty, if it can be done without distress to ourselves. The duty of relieving from distress, seldom goes farther; for tho' we always sympa-

thiſe with our relations, and with thoſe under our eye, the diſtreſſes of the remote and unknown affect us very little. Paſſions and agreements become neceſſary, if we would extend the duty of benevolence beyond the limits mentioned. Men, it is true, are capable of doing more good than is required of them as a duty ; but every ſuch good muſt be a free-will offering.

And this leads to arbitrary or diſcretionary actions, ſuch as may be done or left undone ; which make the ſecond general head of moral actions. With reſpect to theſe, the moral ſenſe leaves us at freedom : a benevolent act is approved, but the omiſſion is not condemned. This holds ſtrictly in ſingle acts ; but in viewing the whole of a man's conduct, the moral ſenſe appears to vary a little. As the nature of man is complex, partly ſocial, partly ſelfiſh, we have an intuitive perception, that our conduct ought to be conformable to our nature ; and that in advancing our own intereſt, we ought not altogether to neglect that of others. The man accordingly who confines his whole time and thoughts within his own little ſphere,

sphere, is condemned by all the world as guilty of wrong conduct; and the man himself, if his moral perceptions be not blunted by selfishness, must be sensible that he deserves to be condemned. On the other hand, it is possible that free benevolence may be extended beyond proper bounds: where it prevails, it commonly leads to excess, by prompting a man to sacrifice a great interest of his own to a small interest of others; and the moral sense dictates, that such conduct is wrong. The just temperament, is a subordination of benevolence to self-love.

Thus, moral actions are divided into two classes: the first regards our duty, containing actions that ought to be done, and actions that ought not to be done; the other regards arbitrary or discretionary actions, containing actions that are right when done, but not wrong when left undone. Society is indeed promoted by the latter; but it can scarce subsist, unless the former be made our duty. Hence it is, that actions only of the first class are made indispensable; those of the other class being left to our free-will. And hence also it is, that the various propensities that dispose

pose us to actions of the first class, are distinguished by the name of *primary virtues*; leaving the name of *secondary virtues* to those propensities which dispose us to actions of the other class*.

The deduction above given makes it evident, that the general tendency of right actions is to promote the good of society, and of wrong actions, to obstruct that good. Universal benevolence is indeed not required of man; because to put it in practice, is beyond his utmost abilities. But for promoting the general good, every thing is required of him that he can accomplish; which will appear from reviewing the foregoing duties. The prohibition of harming others is an easy task; and upon that account is made universal. Our active duties are very different: man is circumscribed both in capacity and power: he cannot do good but in a slow succession; and therefore it is wisely ordered, that his obligation to do good should be confined to his relations, his

* Virtue signifies that disposition of mind which gives the ascendant to moral principles. Vice signifies that disposition of mind which gives little or no ascendant to moral principles.

friends,

friends, his benefactors. Even distress makes not benevolence a general duty: all a man can readily do, is to relieve those at hand; and accordingly we hear of distant misfortunes with little or no concern.

But let not the moral system be misapprehended, as if it were our duty, or even lawful, to prosecute what upon the whole we reckon the most beneficial to society, balancing ill with good. The moral sense permits not a violation of any person's right, however trivial, whatever benefit may thereby accrue to another. A man for example in low circumstances, by denying a debt he owes to a rich miser, saves himself and a hopeful family from ruin. In that case, the good effect far outweighs the ill, or rather has no counterbalance: but the moral sense permits not the debtor to balance ill with good; nor gives countenance to an unjust act, whatever benefit it may produce. And hence a maxim in which all moralists agree, That we must not do ill to bring about good; the final cause of which shall be given below (a).

(a) Sect. 7.

S E C T. IV.

Principles of Duty and of Benevolence.

HAVING thus shortly delineated the moral laws of our nature, we proceed to an article of great importance, which is, to enquire into the means provided by our Maker for compelling obedience to these laws. The moral sense is an unerring guide; but the most expert guide will not profit those who are not disposed to be led. This consideration makes it evident, that to complete the moral system, man ought to be endued with some principle or propensity, some impulsive power, to enforce obedience to the laws dictated by the moral sense.

The author of our nature leaves none of his works imperfect. In order to render us obsequious to the moral sense as our guide, he hath implanted in our nature the principles of duty, of benevolence, of rewards and punishments, and of reparation.

tion. It may possibly be thought, that rewards and punishments, of which afterward, are sufficient of themselves to enforce the laws of nature, without necessity of any other principle. Human laws, it is true, are enforc'd by these means; because no higher sanction is under command of a terrestrial legislator. But the celestial legislator, with power that knows no control, and benevolence that knows no bounds, hath enforc'd his laws by means no less remarkable for mildness than for efficacy: he employs no external compulsion; but, in order to engage our will on the right side, hath in the breast of individuals established the principles of duty and of benevolence, which efficaciously excite them to obey the dictates of the moral sense.

The restraining and active duties being both of them essential to society, our Maker has wisely ordered, that the principle which enforces these duties, should be the most cogent of all that belong to our nature. Other principles may solicit, allure, or terrify; but the principle of duty assumes authority, commands, and insists

to be obey'd, without giving ear to any opposing motive.

As one great purpose of society, is to furnish opportunities of mutual aid and support; nature seconding that purpose, hath provided the principle of benevolence, which excites us to be kindly, beneficent, and generous. Nor ought it to escape observation, that the author of nature, attentive to our wants and to our well-being, hath endued us with a liberal portion of that principle. It excites us to be kind, not only to those we are connected with, but to our neighbours, and even to those we are barely acquainted with. Providence is peculiarly attentive to objects in distress, who require immediate aid and relief. To the principle of benevolence, it hath superadded the passion of pity, which in every feeling heart is irresistible. To make benevolence more extensive, would be fruitless; because here are objects in plenty to fill the most capacious mind. It would not be fruitless only, but hurtful to society: I say hurtful; because frequent disappointments in attempting to gratify our benevolence, would render it a troublesome guest, and
make

make us cling rather to selfishness, which we can always gratify. At the same time, tho' there is not room for a more extensive list of particular objects, yet the faculty we have of uniting numberless individuals into one complex object, enlarges greatly the sphere of benevolence. By that faculty our country, our government, our religion, become objects of public spirit, and of a lively affection. The individuals that compose the group, considered apart, may be too minute, or too distant, for our benevolence: but when united into one whole, accumulation makes them great, greatness makes them conspicuous; and affection, preserved entire and undivided, is bestow'd upon an abstract object, as upon one that is single and visible; but with energy proportioned to its greater dignity and importance. Thus the principle of benevolence is not too sparingly scattered among men. It is indeed made subordinate to self-interest, which is wisely ordered, as will afterward be made evident (a): but its power and extent are nicely proportioned to the limited capacity of man, and to his situation in this world;

(a) Sect. 7.

so as better to fulfil its destination, than if it were an overmatch for self-interest, and for every other principle.

S E C T. V.

Laws respecting Rewards and Punishments.

REflecting on the moral branch of our nature qualifying us for society in a manner suited to our capacity, we cannot overlook the hand of our Maker; for means so finely adjusted to an important end, never happen by chance. It must however be acknowledged, that in many individuals, the principle of duty has not vigour nor authority sufficient to stem every tide of unruly passion: by the vigilance of some passions, we are taken unguarded; deluded by the sly insinuations of others; or overwhelmed with the stormy impetuosity of a third sort. Moral evil is thus introduced, and much wrong is done. This new scene suggests to us, that there must be some article still wanting

ing to complete the moral system; some means for redressing such wrongs, and for preventing the reiteration of them. To accomplish these important ends, there are added to the moral system, laws relative to rewards and punishments, and to reparation; of which in their order.

Many animals are qualified for society by instinct merely; such as beavers, sheep, monkeys, bees, rooks. But men are seldom led by instinct: their actions are commonly prompted by passions; of which there is an endless variety, social and selfish, benevolent and malevolent. And were every passion equally entitled to gratification, man would be utterly unqualified for society: he would be a ship without a rudder, obedient to every wind, and moving at random without any ultimate destination. The faculty of reason would make no opposition; for were there no sense of wrong, it would be reasonable to gratify every desire that harms not ourselves: and to talk of punishment would be absurd; for punishment, in its very idea, implies some wrong that ought to be redressed. Hence the necessity of the moral sense, to qualify us for society: by in-

structing

structing us in our duty, it renders us accountable for our conduct, and makes us susceptible of rewards and punishments. The moral sense fulfils another valuable purpose: it erects in man an unerring standard for the application and measure of rewards and punishments.

To complete the system of rewards and punishments, it is necessary that a provision be made, both of power and of willingness to reward and punish. The author of our nature hath provided amply for the former, by entitling every man to reward and punish as his native privilege. And he has provided for the latter, by a noted principle in our nature, prompting us to exercise the power. Impelled by that principle, we reward the virtuous with approbation and esteem, and punish the vicious with disapprobation and contempt. And there is an additional motive for exercising that principle, which is, that we have great satisfaction in rewarding, and no less in punishing.

As to punishment in particular, an action done intentionally to produce mischief, is criminal, and merits punishment. Such an action, being disagreeable,

able, raises my resentment, even where I have no connection with the person injured; and the principle mentioned impells me to chastise the delinquent with indignation and hatred. An injury done to myself raises my resentment to a higher tone: I am not satisfied with so slight a punishment as indignation and hatred: the author must by my hand suffer mischief, as great as he has made me suffer.

Even the most secret crime escapes not punishment. The delinquent is tortured with remorse: he even desires to be punished, sometimes so ardently as to punish himself*. There cannot be imagined

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* Mr John Kello, minister of Spot in East Lothian, had an extraordinary talent for preaching, and was universally held a man of singular piety. His wife was handsome, cheerful, tender-hearted, and in a word possessed all the qualities that can endear a woman to her husband. A pious and rich widow in the neighbourhood tempted his avarice. She clung to him as a spiritual guide; and but for his little wife, he had no doubt of obtaining her in marriage. He turned gradually peevish and discontented. His change of behaviour made a deep impression on his wife, for she loved him dearly; and yet she was anxious to conceal her treatment from the

a contrivance more effectual to deter one from vice, than remorse, which itself is a grievous punishment. Self-punishment goes still farther: every criminal, sensible that he ought to be punished, dreads punishment from others; and this dread,

the world. Her meekness, her submission, her patience, tended but to increase his fullness. Upon a Sunday morning when on her knees she was offering up her devotions, he came softly behind her, put a rope about her neck, and hung her up to the ceiling. He bolted his gate, crept out at a window, walked demurely to church, and charmed his hearers with a most pathetic sermon. After divine service, he invited two or three of his neighbours to pass the evening, at his house, telling them that his wife was indisposed, and of late inclined to melancholy; but that she would be glad to see them. It surprised them to find the gate bolted and none to answer: much more when, upon its being forc'd open, they found her in the posture mentioned. The husband seemed to be struck dumb; and counterfeited sorrow so much to the life, that his guests, forgetting the deceased, were wholly interested about the living. His feign'd tears however became real: his soul was oppressed with the weight of his guilt. Finding no relief from agonizing remorse, and from the image of his murdered wife constantly haunting him, he about six weeks after the horrid deed went to Edinburgh and delivered himself up to justice. He was condemned upon his own confession, and executed 4th October 1570.

however

however smothered during prosperity, breaks out in adversity, or in depression of mind: his crime stares him in the face, and every accidental misfortune is in his disturbed imagination interpreted to be a punishment: "And they said one to another, We are verily guilty concerning our brother, in that we saw the anguish of his soul, when he besought us; and we would not hear: therefore is this distress come upon us. And Reuben answered them, saying, Spake I not unto you, saying, Do not sin against the child; and ye would not hear? therefore behold also his blood is required (a)*.

The

(a) Genesis xlii. 21.

* John Duke of Britany, commonly termed *the Good Duke*, illustrious for generosity, clemency, and piety, reigned forty-three years, wholly employ'd about the good of his subjects. He was succeeded by his eldest son Francis, a prince weak and suspicious, and consequently liable to be misled by favourites. Arthur of Montauban, in love with the wife of Gilles, brother to the Duke, persuaded the Duke that his brother was laying plots to dethrone him. Gilles being imprisoned, the Duke's best friends conjured him to pity his unhappy brother, who might be imprudent, but assuredly was inno-

The usurper Oliver Cromwell found to his dire experience, that the grandeur

cent ; — all in vain. Gilles being prosecuted before the three estates of the province for high treason, was unanimously absolved ; which irritated the Duke more and more. Arthur of Montauban artfully suggested to his master to try poison ; which having miscarried, they next resolved to starve the prisoner to death. The unfortunate prince, through the bars of a window, cried aloud for bread ; but the passengers durst not supply him. One poor woman only had courage more than once to slip some bread within the window. He charged a priest, who had received his confession, to declare to the Duke, “ That seeing justice was refused him in this world, he appealed to Heaven ; and called upon the Duke to appear before the judgement-seat of God in forty days.” The Duke and his favourite, amazed that the prince lived so long without nourishment, employed assassins to smother him with his bed-cloaths. The priest, in obedience to the orders he had received, presented himself before the Duke, and with a loud voice cited him in name of the deceased Lord Gilles to appear before God in forty days. Shame and remorse verified the prediction. The Duke was seized with a sudden terror ; and the image of his brother, expiring by his orders, haunted him day and night. He decay’d daily without any marks of a regular disease, and died within the forty days in frightful agony.

See this subject further illustrated in the *Sketch Principles and Progress of Theology*, chap. 1.

which

which he had attained with so much cunning and courage, did not contribute to his happiness; for with happiness guilt is inconsistent. Conscious that he deserved punishment for his crimes, and dreading its being inflicted upon him, all around appeared to him treacherous friends or bitter enemies. Death, which with intrepidity he had braved in the field, was now timorously apprehended from assassins. With a piercing and anxious eye he surveyed every new face. He wore armour under his cloaths, and never moved a step without his guards. Seldom he slept three nights together in the same chamber; nor in any but what had a back-door, at which centinels were placed. Society terrified him by reflecting on his unknown enemies, numerous and implacable. Solitude astonished him by leaving him without protection. Can all the glory and power that this earth can afford be a counterbalance for such misery?

No transgression of self-duty escapes punishment, more than transgression of duty to others. The punishments, tho' not the same, differ in degree more than in kind. Injustice is punished with re-

morfe: impropriety with fhame, which is remorfe in a lower degree. Injuftice raifes indignation in the beholder, and fo doth every flagrant impropriety: flighter improprieties receive a milder punifhment, being rebuked with fome degree of contempt, and commonly with derifion (a).

So far we have been led in a beaten track; but in attempting to proceed, we are entangled in mazes and intricacies. An action well intended may happen to produce no good; and an action ill intended may happen to produce no mifchief: a man overawed by fear, may be led to do mifchief againft his will; and a perfon, miftaking the ftandard of right and wrong, may be innocently led to do acts of injuftice. By what rule, in fuch cafes, are rewards and punifhments to be apply'd? Ought a man to be rewarded when he does no good, or punifhed when he does no mifchief: ought he to be punifhed for doing mifchief againft his will, or for doing mifchief when he thinks he is acting innocently? Thefe queftions fuggeft a doubt, whether the ftandard of

(a) See Elements of Criticifm, chap. 10.

right and wrong be applicable to rewards and punishments.

We have seen that there is an invariable standard of right and wrong, which depends not in any degree on private opinion or conviction. By that standard, all pecuniary claims are judged, all claims of property, and, in a word, every demand founded on interest, not excepting reparation, as will afterward appear. But with respect to the moral characters of men, and with respect to rewards and punishments, a different standard is erected in the common sense of mankind, neither rigid nor inflexible; which is, the opinion that men have of their own actions. It is mentioned above, that a man is esteemed innocent in doing what he himself thinks right, and guilty in doing what he himself thinks wrong. In applying this standard to rewards and punishments, we reward those who in doing wrong are however convinced that they are innocent; and punish those who in doing right are however convinced that they are guilty.* Some, it is true, are so pervert-

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* Virtuous and vicious, innocent and guilty, signify qualities both of men and of their actions.

Appro-

ed by improper education or by superstition, as to espouse numberless absurd tenets, contradictory to the standard of right and wrong; and yet such men are no exception from the general rule: if they act according to conscience, they are innocent, and safe against punishment however wrong the action may be; and if they act against conscience, they are guilty and punishable however right the action may be: it is abhorrent to every moral perception, that a guilty person be rewarded, or an innocent person punished. Further, if mischief be done contrary to Will, as where a man is compelled by fear or by torture, to reveal the secrets of his party; he may be grieved for yielding to the weakness of his nature, contrary to his firmest resolves; but he has no check of conscience, and upon that account is not liable to punishment. And lastly, in order that personal merit and demerit may not in any measure depend on chance, we are so constituted as to place innocence and guilt, not on the event, but on the in-

Approbation and disapprobation, praise and blame, signify certain emotions or sentiments of those who see or contemplate men and their actions.

tention

tion of doing right or wrong; and accordingly, whatever be the event, a man is praised for an action well intended, and condemned for an action ill intended.

But what if a man intending a certain wrong happen by accident to do a wrong he did not intend; as, for example, intending to rob a warren by shooting the rabbits, he accidentally wounds a child unseen behind a bush? The delinquent ought to be punished for intending to rob; and he is also subjected to repair the hurt done to the child: but he cannot be punished for the accidental wound; because our nature regulates punishment by the intention, and not by the event*.

A

* During the infancy of nations, pecuniary compositions for crimes were universal; and during that long period, very little weight was laid upon intention. This proceeded from the cloudiness and obscurity of moral perceptions among barbarians, making no distinction between reparation and pecuniary punishment. Where a man does mischief intentionally, or is *versans in illicito*, as expressed in the Roman law, he is justly bound to repair all the harm that ensues, however accidentally; and from the resemblance of pecuniary punishment to reparation, the rule was childishly extended to punishment.

A crime against any primary virtue is attended with severe and never-failing punishment, more efficacious than any that have been invented to enforce municipal laws: on the other hand, the preserving

ment. But this rule, so little consistent with moral principles, could not long subsist after pecuniary compositions gave place to corporal punishment; and accordingly, among civilized nations, the law of nature is restored, which prohibits punishment for any mischief that is not intentional. The English must be excepted, who, remarkably tenacious of their original laws and customs, preserve in force, even as to capital punishment, the above-mentioned rule that obtained among barbarians, when pecuniary compositions were in vigour. The following passage is from Hales (*Pleas of the Crown*, chap. 39.) “ Regularly he that voluntarily and knowingly intends hurt to the person of a man, as for example to beat him, tho’ he intend not death, yet if death ensues, it excuseth not from the guilt of murder, or manslaughter at least, as the circumstances of the case happen.” And Foster, in his *Crown law*, teaches the same doctrine, never once suspecting in it the least deviation from moral principles. “ A shooteth at the poultry of B, and by accident killeth a man: if his intention was to steal the poultry, which must be collected from circumstances, it will be murder by reason of that felonious intent; but if it was done wantonly, and without that intention, it will be barely manslaughter.” (p. 259.)

primary

primary virtues inviolate, is attended with little merit. The secondary virtues are directly opposite: the neglecting them is not attended with any punishment; but the practice of them is attended with illustrious rewards. Offices of undeserved kindness, returns of good for ill, generous toils and sufferings for our friends or for our country, are attended with consciousness of self-merit, and with universal praise and admiration; the highest rewards a generous mind is susceptible of.

From what is said, the following observation will occur: The pain of transgressing justice, fidelity, or any duty, is much greater than the pleasure of performing; but the pain of neglecting a generous action, or any secondary virtue, is as nothing compared with the pleasure of performing. Among the vices opposite to the primary virtues, the most striking moral deformity is found; among the secondary virtues, the most striking moral beauty.

S E C T. VI.

Laws respecting Reparation.

THE principle of reparation is made a branch of the moral system for accomplishing two ends: which are, to repress wrongs that are not criminal, and to make up the loss sustained by wrongs of whatever kind. With respect to the former, reparation is a species of punishment: with respect to the latter, it is an act of justice. These ends will be better understood, after ascertaining the nature and foundation of reparation; to which the following division of actions is necessary. First, actions that we are bound to perform. Second, actions that we perform in prosecution of a right or privilege. Third, indifferent actions, described above. Actions of the first kind subject not a man to reparation, whatever damage ensues; because it is his duty to perform them, and it would be inconsistent

ent with morality that a man should be subjected to reparation for doing his duty. The laws of reparation that concern actions of the second kind, are more complex. The social state, highly beneficial by affording opportunity for mutual good offices, is attended with some inconveniences; as where a person happens to be in a situation of necessarily harming others by exercising a right or privilege. If the foresight of harming another restrain me not from exercising my right, the interest of that other is made subservient to mine: on the other hand, if such foresight restrain me from exercising my right, my interest is made subservient to his. What doth the moral sense provide in that case? To preserve as far as possible an equality among persons born free and by nature equal in rank, the moral sense dictates a rule, no less beautiful than salutary; which is, That the exercising a right will not justify me for doing direct mischief; but will justify me, tho' I foresee that mischief may possibly happen. The first branch of the rule resolves into a proposition established above, That no interest of mine, not even life itself, will authorise

me to hurt an innocent person. The other branch is supported by expediency: for if the bare possibility of hurting others were sufficient to restrain a man from prosecuting his rights and privileges; men would be too much cramped in action, or rather would be reduced to a state of absolute inactivity. With respect to the first branch, I am criminal, and liable even to punishment: with respect to the other, I am not even culpable, nor bound to repair the mischief that happens to ensue. But this proposition admits a temperament, which is, that if any danger be foreseen, I am in some degree culpable, if I be not at due pains to prevent it. For example, where in pulling down an old house I happen to wound one passing accidentally, without calling aloud to beware.

With respect to indifferent actions, the moral sense dictates, that we ought carefully to avoid doing mischief, either direct or consequential. As we suffer no loss by forbearing actions that are done for pastime merely, such an action is *culpable* or *faulty*, if the consequent mischief was foreseen or might have been foreseen; and the actor of course is subjected to reparation,

paration. As this is a cardinal point in the doctrine of reparation, I shall endeavour to explain it more fully. Without intending any harm, a man may foresee, that what he is about to do will probably or possibly produce mischief; and sometimes mischief follows that was neither intended nor foreseen. The action in the former case is not criminal; because ill intention is essential to a crime: but it is culpable or faulty; and if mischief ensue, the actor blames himself, and is blamed by others, for having done what he ought not to have done. Thus, a man who throws a large stone among a crowd of people, is highly culpable; because he must foresee that mischief will probably ensue, tho' he has no intention to hurt any person. As to the latter case, tho' mischief was neither intended nor foreseen, yet if it might have been foreseen, the action is rash or uncautious, and consequently culpable or faulty in some degree. Thus, if a man, shooting at a mark for recreation near a high road, happen to wound one passing accidentally, without calling aloud to keep out of the way, the action is in some degree culpable, because

because the mischief might have been foreseen. But tho' mischief ensue, an action is not culpable or faulty if all reasonable precaution have been adhibited: the moral sense declares the author to be innocent * and blameless: the mischief is accidental; and the action may be termed *unlucky*, but comes not under the denomination of either right or wrong. In general, when we act merely for amusement, our nature makes us answerable for the harm that ensues, if it was either foreseen or might with due attention have been foreseen. But our rights and privileges would profit us little, if their exercise were put under the same restraint: it is more wisely ordered, that the probability of mischief, even foreseen, should not restrain a man from prosecuting his concerns, which may often be of consequence to him; provided that he act with due precaution. He proceeds accordingly with a safe conscience, and is not afraid of being blamed either by God or man.

* *Innocent* here is opposed to *culpable*: in a broader sense it is opposed to *criminal*. With respect to punishment, an action tho' culpable is innocent, if it be not criminal: with respect to reparation, it is not innocent if it be culpable.

With

With respect to rash or uncautious actions, where the mischief might have been foreseen tho' not actually foreseen; it is not sufficient to escape blame, that a man, naturally rash or inattentive, acts according to his character: a degree of precaution is required, both by himself and by others, such as is natural to the generality of men: he perceives that he might and *ought* to have acted more cautiously; and his conscience reproaches him for his inattention, no less than if he were naturally more sedate and attentive. Thus the circumspection natural to mankind in general, is applied as a standard to every individual; and if a man fall short of that standard he is culpable and blameable, however unforeseen by him the mischief may have been.

What is said upon culpable actions, is equally applicable to culpable omissions; for by these also mischief may be occasioned, entitling the sufferer to reparation. If we forbear to do our duty with an intention to occasion mischief, the forbearance is criminal. The only question is, how far forbearance without such intention is culpable: supposing the probability

lity of mischief to have been foreseen, tho' not intended, the omission is highly culpable; and tho' neither intended nor foreseen, yet the omission is culpable in a lower degree, if there have been less care and attention than are proper in performing the duty required. But supposing all due care, the omission of extreme care and diligence is not culpable*.

By ascertaining what acts and omissions are culpable or faulty, the doctrine of reparation is rendered extremely simple; for it may be laid down as a rule without a single exception, That every culpable act, and every culpable omission, binds us in conscience to repair the mischief occasioned by it. The moral sense binds us no

* *Culpa lata æquiparatur dolo*, says the Roman law. They are equal with respect to reparation and to every civil consequence; but they are certainly not equal in a criminal view. The essence of a crime consists in the intention to do mischief; upon which account no fault or *culpa* however gross amounts to a crime. But may not gross negligence be a subject of punishment? A jailor sees a state-prisoner taking steps to make his escape; and yet will not give himself the trouble to prevent it; and so the prisoner escapes. Damages cannot be qualified, because no person is hurt; and if the jailor cannot be punished, he escapes free.

farther;

farther; for it loads not with reparation the man who is blameless and innocent: the harm is accidental; and we are so constituted as not to be responsible in conscience for what happens by accident. But here it is requisite, that the man be in every respect innocent: for if he intend harm, tho' not what he has done, he will find himself bound in conscience to repair the accidental harm he has done; as, for example, when aiming a blow unjustly at one in the dark, he happens to wound another whom he did not suspect to be there. And hence it is a rule in all municipal laws, That one *versans in illicito* is liable to repair every consequent damage. That these particulars are wisely ordered by the Author of our nature for the good of society, will appear afterward (a). In general, the rules above mentioned are dictated by the moral sense; and we are compelled to obey them by the principle of reparation.

We are now prepared for a more particular inspection of the two ends of reparation above mentioned, The repressing wrongs that are not criminal, and the ma-

(a) Sect. 7.

king up what loss is sustained by wrongs of whatever kind. With respect to the first, it is clear, that punishment in its proper sense cannot be inflicted for a wrong that is culpable only; and if nature did not provide some means for repressing such wrongs, society would scarce be a comfortable state. Laying conscience aside, pecuniary reparation is the only remedy that can be provided against culpable omissions: and with respect to culpable commissions, the necessity of reparation is still more apparent; for conscience alone, without the sanction of reparation, would seldom have authority sufficient to restrain us from acting rashly or uncautiously, even where the possibility of mischief is foreseen, and far less where it is not foreseen.

With respect to the second end of reparation, my conscience dictates to me, that if a man suffer by my fault, whether the mischief was foreseen or not foreseen, it is my duty to make up his loss; and I perceive intuitively, that the loss ought to rest ultimately upon me, and not upon the sufferer, who has not been culpable in any degree.

In

In every case where the mischief done can be estimated by a pecuniary compensation, the two ends of reparation coincide. The sum is taken from the one as a sort of punishment for his fault, and is bestowed on the other to make up the loss he has sustained. But in numberless cases where mischief done cannot be compensated with money, reparation is in its nature a sort of punishment. Defamation, contemptuous treatment, personal restraint, the breaking one's peace of mind, are injuries that cannot be repaired with money; and the pecuniary reparation decreed against the wrong-doer, can only be considered as a punishment inflicted in order to deter him from reiterating such injuries: the sum, it is true, is awarded to the person injured; but not as sufficient to make up his loss, which money cannot do, but only as a *solutum* for what he has suffered.

Hitherto it is supposed, that the man who intends a wrong action, is at the same time conscious of its being so. But a man may intend a wrong action, thinking erroneously that it is right; or a right action, thinking erroneously that it is

wrong ; and the question is, What shall be the consequence of such errors with respect to reparation. The latter case is clear : the person who occasionally suffers loss by a right action, has not a claim for reparation, because he has no just cause of complaint. On the other hand, if the action be wrong, the innocence of the author, for which he is indebted to an error in judgement, will not relieve him from reparation. When he is made sensible of his error, he feels himself bound in conscience to repair the harm he has done by a wrong action : and others, sensible of his error from the beginning, have the same feeling : nor will his obstinacy in resisting conviction, nor his dullness in not apprehending his error, mend the matter : it is well that these defects relieve him from punishment, without wronging others by denying a claim for reparation. A man's errors ought to affect himself only, and not those who have not erred. Hence in general, reparation always follows wrong ; and is not affected by any erroneous opinion of a wrong action being right, more than of a right action being wrong.

But

But this doctrine suffers an exception with respect to one who, having undertaken a trust, is bound in duty to act. A judge is in that state: it is his duty to pronounce sentence in every case that comes before him; and if he judge according to his knowledge, he is not liable for consequences. A judge cannot be subjected to reparation, unless the judgement he gave was intentionally wrong. An officer of the revenue is in the same predicament. Led by a doubtful clause in a statute, he makes a seizure of goods as forfeited to the crown, which afterward, in the proper court, are found not to be seizable: he ought not to be subjected to reparation, if he have acted to the best of his judgement. This rule however must be taken with a limitation: a public officer who is grossly ignorant, will not be excused; for he ought to know better.

Reparation is due, tho' the immediate act be involuntary, provided it be connected with a preceding voluntary act. Example: " If A ride an unruly horse in
" Lincolns-inn fields, to tame him, and
" the horse breaking from A, run over B
" and grievously hurt him; B shall have
" an

“ an action against A: for tho’ the mischief was done against the will of A; yet since it was his fault to bring a wild horse into a frequented place where mischief might ensue, he must answer for the consequences.” Gaius seems to carry this rule still farther, holding in general, that if a horse, by the weakness or unskilfulness of the rider, break away and do mischief, the rider is liable (a). But Gaius probably had in his eye a frequented place, where the mischief might have been foreseen. Thus in general, a man is made liable for the mischief occasioned by his voluntary deed, tho’ the immediate act that occasioned the mischief be involuntary.

S E C T. VII.

Final Causes of the foregoing Laws of Nature.

Several final causes have been already mentioned, which could not conveniently

(a) l. 8. §. 1. ad leg. Aquil.

ently

ently be reserved for the present section, being necessary for explaining the subjects to which they relate; the final cause for instance of erecting a standard of morals upon the common sense of mankind. I proceed now to what have not been mentioned, or but slightly mentioned.

The final cause that presents itself first to view, respects man considered as an accountable being. The sense of being accountable, is one of our most vigilant guards against the silent attacks of vice. When a temptation moves me it immediately occurs, What will the world say? I imagine my friends expostulating, my enemies reviling—it would be in vain to dissemble—my spirits sink—the temptation vanishes. 2dly, Praise and blame, especially from those we regard, are strong incentives to virtue: but if we were not accountable for our conduct, praise and blame would seldom be well directed; for how shall a man's intentions be known, without calling him to account? And praise or blame, frequently ill-directed, would lose their influence. 3dly, This branch of our nature, is the corner-stone
of

of the criminal law. Did not a man think himself accountable to all the world, and to his judge in a peculiar manner, it would be natural for him to think, that the justest sentence pronounced against him, is oppression, not justice. 4thly, It promotes society. If we were not accountable beings, those connected by blood, or by country, would be no less shy and reserved, than if they were utter strangers to each other.

The final cause that next occurs, being simple and obvious, is mentioned only that it may not seem to have been overlooked. All right actions are agreeable, all wrong actions, disagreeable. This is a wise appointment of Providence. We meet with so many temptations against duty, that it is not always easy to persevere in the right path: would we persevere, were duty disagreeable? And were acts of pure benevolence disagreeable, they would be rare, however worthy of praise.

Another final cause respects duty, in contradistinction to pure benevolence. All the moral laws are founded on intuitive perception; and are so simple and plain, as to be perfectly apprehended by the most ignorant.

ignorant. Were they in any degree complex or obscure, they would be perverted by selfishness and prejudice. No conviction inferior to what is afforded by intuitive perception, could produce in mankind a common sense in moral duties. Reason would afford no general conviction; because that faculty is distributed in portions so unequal, as to bar all hopes from it of uniformity either in practice or in opinion. We are taught beside by woful experience, that reason even the most convincing, has no commanding influence over the greater part of men. Reason, it is true, aided by experience, supports morality; by convincing us, that we cannot be happy if we abandon duty for any other interest. But conviction seldom weighs much against imperious passion; to control which the vigorous and commanding principle of duty is requisite, directed by the shining light of intuition.

A proposition laid down above, appears a sort of mystery in the moral system, That tho' evidently all moral duties are contrived for promoting the general good, yet that a choice is not permitted among different goods, or between good and ill;

rected by the moral sense to perform certain plain and simple acts, which admit no ambiguity.

In the next place, To permit ill in order to produce greater good, may suit a being of universal benevolence; but is repugnant to the nature of man, composed of selfish and benevolent principles. We have seen above, that the true moral balance depends on a subordination of self-love to duty, and of discretionary benevolence to self love; and accordingly every man is sensible of injustice when he is hurt in order to benefit another. Were it a rule in society, That a greater good to any other would make it an act of justice to deprive me of my life, of my reputation, or of my property, I should renounce the society of men, and associate with more harmless animals.

Thirdly, The true moral system, that which is display'd above, is not only better suited to the nature of man and to his limited capacity, but contributes more to the general good, which I now proceed to demonstrate. It would be losing time to prove, that one entirely selfish is ill fitted

for society; and we have seen (a), that universal benevolence, were it a duty, would contribute to the general good perhaps less than absolute selfishness. Man is too limited in capacity and in power for universal benevolence. Even the greatest monarch has not power to exercise his benevolence, but within a very narrow sphere; and if so, how unfit would such a duty be for private persons, who have very little power? Serving only to distress them by inability of performance, they would endeavour to smother it altogether, and give full scope to selfishness. Man is much better qualified for doing good, by a constitution in which benevolence is duly blended with self-love. Benevolence as a duty, takes place of self-love; a regulation essential to society: benevolence as a virtue, not a duty, gives place to self-love; because as every man has more power, knowledge, and opportunity, to promote his own good than that of others, a greater quantity of good is produced, than if benevolence were our only principle of action. This holds, even supposing no harm done to any per-

(a) Sect. 4.

son : much more would it hold, were we permitted to hurt some, in order to produce more good to others.

The foregoing final causes respect morality in general. We now proceed to particulars ; and the first and most important is the law of restraint. Man is evidently framed for society : and as there can be no society among creatures who prey upon each other, it was necessary to provide against mutual injuries ; which is effectually done by this law. Its necessity with respect to personal security is self-evident ; and with respect to property, its necessity will appear from what follows. In the nature of every man there is a propensity to hoard or store up things useful to himself and family. But this natural propensity would be rendered ineffectual, were he not secured in the possession of what he thus stores up ; for no man will toil to accumulate what he cannot securely possess. This security is afforded by the moral sense, which dictates, that the first occupant of goods provided by nature for the subsistence of man, ought to be protected in the possession, and that such goods ought to be inviolably his property.

perty. Thus, by the great law of restraint, men have a protection for their goods, as well as for their persons; and are no less secure in society, than if they were separated from each other by impregnable walls.

Several other duties are little less essential than that of restraint, to the existence of society. Mutual trust and confidence, without which society would be an uncomfortable state, enter into the character of the human species; to which the duties of veracity and fidelity correspond. The final cause of these corresponding duties is obvious: the latter would be of no use in society without the former; and the former, without the latter, would be hurtful by laying men open to fraud and deceit.

With respect to veracity in particular, man is so constituted, that he must be indebted to information for the knowledge of most things that benefit or hurt him; and if he could not depend upon information, society would be very little beneficial. Further, it is wisely ordered, that we should be bound by the moral sense to speak truth, even where we perceive no harm

harm in transgressing that duty ; because it is sufficient that harm may ensue, tho' not foreseen. At the same time, falsehood always does mischief : it may happen not to injure us externally in our reputation, or in our goods ; but it never fails to injure us internally : the sweetest and most refined pleasure of society, is a candid intercourse of sentiments, of opinions, of desires, and wishes ; and it would be poisonous to indulge any falsehood in such intercourse.

Because man is the weakest of all animals in a state of separation, and the very strongest in society by mutual aid and support ; covenants and promises, which greatly contribute to these, are made binding by the moral sense.

The final cause of the law of propriety, which enforces the duty we owe to ourselves, comes next in order. In discouraging upon those laws of nature which concern society, there is no occasion to mention any self-duty but what relates to society ; of which kind are prudence, temperance, industry, firmness of mind. And that such qualities should be made our duty, is wisely ordered in a double respect ;

respect; first, as qualifying us to act a proper part in society; and next, as intitling us to good-will from others. It is the interest, no doubt, of every man, to suit his behaviour to the dignity of his nature, and to the station allotted him by Providence; for such rational conduct contributes to happiness, by preserving health, procuring plenty, gaining the esteem of others, and, which of all is the greatest blessing, by gaining a justly-founded self-esteem. But here interest solely is not relied on: the powerful authority of duty is added, that in a matter of the utmost importance to ourselves, and of some importance to the society we live in, our conduct may be regular and steady. These duties tend not only to render a man happy in himself; but also, by procuring the good-will and esteem of others, to command their aid and assistance in time of need.

I proceed to the final causes of natural rewards and punishments. It is laid down above, that controversies about property and about other matters of interest, must be adjusted by the standard of right and wrong. But to bring rewards and punishments under the same standard, without

out regard to private conscience, would be a plan unworthy of our Maker. It is clear, that to reward one who is not conscious of merit, or to punish one who is not conscious of demerit, cannot answer any good end; and in particular, cannot tend either to improvement or to reformation of manners. How much more like the Diety is the plan of nature, which rewards no man who is not conscious that he merits reward, and punishes no man who is not conscious that he merits punishment! By that plan, and by that only, rewards and punishments accomplish every good end, a final cause most illustrious!

The rewards and punishments that attend the primary and secondary virtues, are finely contrived for supporting the distinction between them set forth above. Punishment must be confined to the transgression of primary virtues, it being the intention of nature that secondary virtues be entirely free. On the other hand, secondary virtues are more highly rewarded than primary: generosity, for example, makes a greater figure than justice; and magnanimity, heroism, undaunted cou-

rage, a still greater figure. One would imagine at first view, that the primary virtues, being more essential, should be intitled to the first place in our esteem, and be more amply rewarded than the secondary ; and yet in elevating the latter above the former, peculiar wisdom and foresight are conspicuous. Punishment is appropriated to enforce primary virtues ; and if these virtues were also attended with the highest rewards, secondary virtues, degraded to a lower rank, would be deprived of that enthusiastic admiration which is their chief support : self-interest would universally prevail over benevolence ; and would banish those numberless favours we receive from each other in society, which are beneficial in point of interest, and still more so by generating affection and friendship.

In our progress through final causes, we come at last to reparation, one of the principles destined by Providence for redressing wrongs committed, and for preventing reiteration. The final cause of this principle where the mischief arises from intention, is clear : for to protect individuals in society, it is not sufficient that the
delinquent

delinquent be punished ; it is necessary over and above, that the mischief be repaired.

Secondly, Where the act is wrong or unjust, tho' not understood by the author to be so, it is wisely ordered that reparation should follow ; which will thus appear. Considering the fallibility of man, it would be too severe never to give any allowance for error. On the other hand, to make it a law in our nature, never to take advantage of error, would be giving too much indulgence to indolence and remission of mind, tending to make us neglect the improvement of our rational faculties. Our nature is so happily framed, as to avoid these extremes by distinguishing between gain and loss. No man is conscious of wrong, when he takes advantage of an error committed by another to save himself from loss : if there must be a loss, common sense dictates, that it ought to rest upon the person who has erred, however innocently, rather than upon the person who has not erred. Thus, in a competition among creditors about the estate of their bankrupt debtor, every one is at liberty to avail himself of an error

ror committed by his competitor, in order to recover payment. But *in lucro captando*, the moral sense teacheth a different lesson; which is, that no man ought to lay hold of another's error to make gain by it. Thus, an heir finding a rough diamond in the repositories of his ancestor, gives it away, mistaking it for a common pebble: the purchaser is in conscience and equity bound to restore, or to pay a just price.

Thirdly, The following considerations respecting the precaution that is necessary in acting, unfold a final cause, no less beautiful than that last mentioned. Society could not subsist in any tolerable manner, were full scope given to rashness and negligence, and to every action that strictly speaking is not criminal; whence it is a maxim founded no less upon utility than upon justice, That men in society ought to be extremely circumspect, as to every action that may possibly do harm. On the other hand, it is also a maxim, That as the prosperity and happiness of man depend on action, activity ought to be encouraged, instead of being discouraged by dread of consequences. These
maxims,

maxims, seemingly in opposition, have natural limits that prevent their encroaching one upon the other. There is a certain degree of attention and circumspection that men generally bestow upon affairs, proportioned to their importance: if that degree were not sufficient to defend against a claim of reparation, individuals would be too much cramped in action; which would be a great discouragement to activity: if a less degree were sufficient, there would be too great scope for rash or remiss conduct; which would prove the bane of society. These limits, which evidently tend to the good of society, are adjusted by the moral sense; which dictates, as laid down in the section of Reparation, that the man who acts with foresight of the probability of mischief, or acts rashly and uncautiously without such foresight, ought to be liable for consequences; but that the man who acts cautiously, without foreseeing or suspecting any mischief, ought not to be liable for consequences.

In the same section it is laid down, that the moral sense requires from every man, not his own degree of vigilance and attention,

tention, which may be very small, but that which belongs to the common nature of the species. The final cause of that regulation will appear upon considering, that were reparation to depend upon personal circumstances, there would be a necessity of enquiring into the character of individuals, their education, their manner of living, and the extent of their understanding; which would render judges arbitrary, and such law-suits inextricable. But by assuming the common nature of the species as a standard, by which every man in conscience judges of his own actions, law-suits about reparation are rendered easy and expeditious.

S E C T. VIII.

Liberty and Necessity considered with respect to Morality.

HAVING in the foregoing sections ascertained the reality of a moral sense, with its sentiments of approbation and disapprobation,

approbation, praise and blame; the purpose of the present section is, to shew, that these sentiments are consistent with the laws that govern the actions of man as a rational being, In order to which, it is first necessary to explain these laws; for there has been much controversy about them, especially among divines of the Arminian and Calvinist sects.

Human actions, as laid down in the first section, are of three kinds: one, where we act by instinct, without any view to consequences; one, where we act by will in order to produce some effect; and one, where we act against will. With respect to the first, the agent acts blindly, without deliberation or choice; and the external act follows necessarily from the instinctive impulse*.

Voluntary

* A stonechatter makes its nest on the ground or near it; and the young, as soon as they can shift for themselves, leave the nest instinctively. An egg of that bird was laid in a swallow's nest, fixed to the roof of a church. The swallow fed all the young equally, without distinction. The young stonechatter left the nest at the usual time before it could fly; and falling to the ground, it was taken up dead.

Voluntary actions done with a view to an end, are in a very different condition: into these, desire and will, enter: desire to accomplish the end goes first; the will to act in order to accomplish the end is next; and the external act follows of course. Desire considered as what influences the will, is termed a *motive*. Thus, hearing that my friend is in the hands of robbers, I burn with desire to free him: desire influences my will to arm my servants, and to fly to his relief. Actions done against will come in afterward.

But what is it that raises desire? The answer is ready: it is the prospect of attaining some agreeable end, or of avoiding one that is disagreeable. And if it be enquired, What makes an object agreeable or disagreeable; the answer is equally ready, that our nature makes it so.

dead. Here is instinct in purity, exerting itself blindly without regard to variation of circumstances. The same is observable in our dunghill-fowl. They feed on worms, corn, and other feeds dropt on the ground. In order to discover their food, nature has provided them with an instinct to scrape with the foot; and the instinct is so regularly exercised, that they scrape even when they are set upon a heap of corn.

Certain

Certain visible objects are agreeable, certain sounds, and certain smells: other objects of these senses are disagreeable. But there we must stop; for we are far from being so intimately acquainted with our own nature as to assign the causes. These hints are sufficient for my present purpose: if one be curious to know more, the theory of desire, and of agreeableness and disagreeableness, will be found in *Elements of Criticism* (a).

With respect to instinctive actions, no person, I presume, thinks that there is any freedom: an infant applies to the nipple, and a bird builds a nest, no less necessarily than a stone falls to the ground. With respect to voluntary actions, done in order to produce some effect, the necessity is the same, tho' less apparent at first view. The external action is determined by the will: the will is determined by desire: and desire by what is agreeable or disagreeable. Here is a chain of causes and effects, not one link of which is arbitrary, or under command of the agent: he cannot will but according to his desire: he cannot desire

(a) Chap. 2.

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but

but according to what is agreeable or disagreeable in the objects perceived: nor do these qualities depend on his inclination or fancy; he has no power to make a beautiful woman appear ugly, nor to make a rotten carcase smell sweetly.

Many good men apprehending danger to morality from holding our actions to be necessary, endeavour to break the chain of causes and effects above mentioned, maintaining, "That whatever influence
" desire or motives may have, it is the agent himself who is the cause of every
" action; that desire may advise, but
" cannot command; and therefore that a
" man is still free to act in contradiction
" to desire and to the strongest motives." That a being may exist, which in every case acts blindly and arbitrarily, without having any end in view, I can make a shift to conceive: but it is difficult for me even to imagine a thinking and rational being, that has affections and passions, that has a desirable end in view, that can easily accomplish this end; and yet, after all, can fly off, or remain at rest, without any cause, reason, or motive, to sway it. If such a whimsical being can possibly exist,

ist, I am certain that man is not the being. There is perhaps not a person above the condition of a changeling, but can say why he did so and so, what moved him, what he intended. Nor is a single fact stated to make us believe, that ever a man acted against his own desire, who was not compelled by external force. On the contrary, constant and universal experience proves, that human actions are governed by certain inflexible laws; and that a man cannot exert his self-motive power, but in pursuance of some desire or motive.

Had a motive always the same influence, actions proceeding from it would appear no less necessary than the actions of matter. The various degrees of influence that motives have on different men at the same time, and on the same man at different times, occasion a doubt by suggesting a notion of chance. Some motives however have such influence, as to leave no doubt: a timid female has a physical power to throw herself into the mouth of a lion, roaring for food; but she is withheld by terror no less effectually than by cords: if she should rush upon the lion,

would not every one conclude that she was frantic? A man, tho' in a deep sleep, retains a physical power to act, but he cannot exert it. A man, tho' desperately in love, retains a physical power to refuse the hand of his mistress; but he cannot exert that power in contradiction to his own ardent desire, more than if he were fast asleep. Now if a strong motive have a necessary influence, there is no reason for doubting, but that a weak motive must also have its influence, the same in kind, tho' not in degree. Some actions indeed are strangely irregular: but let the wildest action be scrutiniz'd, there will always be discovered some motive or desire, which, however whimsical or capricious, was what influenced the person to act. Of two contending motives, is it not natural to expect that the stronger will prevail, however little its excess may be? If there be any doubt, it must arise from a supposition that a weak motive can be resisted arbitrarily. Where then are we to fix the boundary between a weak and a strong motive? If a weak motive can be resisted, why not one a little stronger, and why not the strongest? In Elements of Criticism

Criticism (a) the reader will find many examples of contrary motives weighing against each other. Let him ponder these with the strictest attention: his conclusion will be, that between two motives, however nearly balanced, a man has not an arbitrary choice, but must yield to the stronger. The mind indeed fluctuates for some time, and feels itself in a measure loose: at last, however, it is determined by the more powerful motive, as a balance is by the greater weight after many vibrations.

Such then are the laws that govern our voluntary actions. A man is absolutely free to act according to his own will; greater freedom than which is not conceivable. At the same time, as man is made accountable for his conduct, to his Maker, to his fellow-creatures, and to himself, he is not left to act arbitrarily; for at that rate he would be altogether unaccountable: his will is regulated by desire; and desire by what pleases or displeases him. Where we are subjected to the will of another, would it be our wish, that his will

(a) Chap. 2. part 4.

should be under no regulation? And where we are guided by our own will, would it be reasonable to wish, that it should be under no regulation, but be exerted without reason, without any motive, and contrary to common sense? Thus, with regard to human conduct, there is a chain of laws established by nature, no one link of which is left arbitrary. By that wise system, man is made accountable: by it, he is made a fit subject for divine and human government: by it, persons of sagacity foresee the conduct of others: and by it, the prescience of the Deity with respect to human actions, is clearly established.

The absurd figure that a man would make acting in contradiction to motives, should be sufficient to open our eyes without an argument. What a despicable figure does a person make, upon whom the same motive has great influence at one time, and very little at another? He is a bad member of society, and cannot be rely'd on as a friend or as an associate. But how highly rational is this supposed person, compared with one who can act in contradiction to every motive? The former

former may be termed whimsical or capricious: the latter is worse; he is absolutely unaccountable, and cannot be the subject of government, more than a lump of matter unconscious of its own motion.

Let the faculty of acting be compared with that of reasoning: the comparison will reconcile every unbiassed mind to the necessary influence of motives. A man is tied by his nature to form conclusions upon what appears to him true at the time. This indeed does not always secure him against error; but would he be more secure by a power to form conclusions contrary to what appears true? Such a power would make him a most absurd reasoner. Would he be less absurd in acting, if he had a power to act against motives, and contrary to what he thinks right or eligible? To act in that manner, is inconsistent with any notion we can form of a sensible being. Nor do we suppose that man is such a being: in accounting for any action, however whimsical, we always ascribe it to some motive; never once dreaming that there was no motive.

And after all, where would be the advantage of such an arbitrary power? Can

a rational man wish seriously to have such a power? or can he seriously think, that God would make man so whimsical a being? To endue man with a degree of self-command sufficient to resist every vitious motive, without any power to resist those that are virtuous, would indeed be a valuable gift; too valuable indeed for man, because it would exalt him to be an angel. But such self-command as to resist both equally, which is the present supposition, would be a great curse, as it would unqualify us for being governed either by God or by man. Better far to be led as rational creatures by the prospect of good, however erroneous our judgement may sometimes be.

While all other animals are subjected to divine government and unerringly fulfil their destination, and considering that man is the only terrestrial being who is formed to know his Maker and to worship him; will it not sound harsh that he alone should be withdrawn from divine government? The power of resisting the strongest motives, whether of religion or of morality, would render him independent of the Deity.

This

This reasoning is too diffuse: if it can be comprehended in a single view, it will make the deeper impresson. There may be conceived different systems for governing man as a thinking and rational being. One is, That virtuous motives should always prevail over every other motive. This, in appearance, would be the most perfect government: but man is not so constituted; and there is reason to doubt, whether such perfection would in his present state correspond to the other branches of his nature (*a*). Another system is, that virtuous motives sometimes prevail, sometimes vitious; and that we are always determined by the prevailing motive. This is the true system of nature; and hence great variety of character and of conduct among men. A third system is, That motives have influence; but that one can act in contradiction to every motive. This is the system I have been combating. Observe only what it resolves into. How is an action to be accounted for that is done in contradiction to every motive? It wanders from the region of com-

(*a*) See book 2. sketch 1. at the end.

mon sense into that of mere chance. If such were the nature of man, no one could rely on another: a promise or an oath would be a rope of sand: the utmost cordiality between two friends would be no security to either against the other: the first weapon that comes in the way might be lethal. Would any man wish to have been formed according to such a model? He would probably wish to have been formed according to the model first mentioned: but that is denied him, virtuous motives sometimes prevailing, sometimes vicious; and from the wisdom of Providence we have reason to believe, that this law is of all the best fitted for man in his present state.

To conclude this branch of the subject: In none of the works of Providence, as far as we can penetrate, is there display'd a deeper reach of art and wisdom, than in the laws of action peculiar to man as a thinking and rational being. Were he left loose to act in contradiction to motives, there would be no place for prudence, foresight, nor for adjusting means to an end: It could not be foreseen by others what a man would do the next hour;

hour; nay it could not be foreseen even by himself. Man would not be capable of rewards and punishments: he would not be fitted, either for divine or for human government: he would be a creature that has no resemblance to the human race. But man is not left loose; for tho' he is at liberty to act according to his own will, yet his will is regulated by desire, and desire by what pleases and displeases. This connection preserves uniformity of conduct, and confines human actions within the great chain of causes and effects. By this admirable system, liberty and necessity, seemingly incompatible, are made perfectly concordant, fitting us for society, and for government both human and divine.

Having explained the laws that govern human actions; we proceed to what is chiefly intended in the present section, which is, to examine how far the moral sentiments handled in the foregoing sections are consistent with these laws. Let it be kept in view, that the perception of a right and a wrong in actions, is founded entirely upon the moral sense. And that upon the same sense are founded the senti-

ments of approbation and praise when a man does right, and of disapprobation and blame when he does wrong. Were we destitute of the moral sense, right and wrong, praise and blame, would be as little understood as colours are by one born blind *.

The formidable argument urged to prove that our moral sentiments are inconsistent with the supposed necessary influence of motives, is what follows. " If motives have a necessary influence on our actions, there can be no good reason to praise a man for doing right, nor to blame him for doing wrong. What

* In an intricate subject like the present, great care should be taken to avoid ambiguities. The term *praise* has two different significations: in one sense it is opposed to *blame*; in another, to *dispraise*. In the former sense it expresses a moral sentiment: in the latter, it expresses only the approving any object that pleases me. I praise one man for his candour, and blame another for being a double-dealer. These, both of them, imply will and intention. I praise a man for being acute; but for being dull, I only dispraise him. I praise a woman for beauty; but blame not any for ugliness, I only dispraise them. None of these particulars imply will or intention.

" foundation

“ foundation can there be either for praise
“ or blame, when it was not in a man’s
“ power to have acted otherwise. A man
“ commits murder, instigated by a sudden fit of revenge : why should he be
“ punished, if he acted necessarily, and
“ could not resist the violence of the passion ?” Here it is supposed, that a power of resistance is essential to praise and blame. But upon examination it will be found, that this supposition has not any support in the moral sense, nor in reason, nor in the common sense of mankind.

With respect to the first, the moral sense, as we have seen above, places innocence and guilt and consequently praise and blame, entirely upon will and intention. The connection between the motive and the action, so far from diminishing, enhances the praise or blame. The greater influence a virtuous motive has, the greater is the virtue of the actor, and the more warm our praise. On the other hand, the greater influence a vicious motive has, the greater is the vice of the actor, and the more violently do we blame him. As this is the cardinal point, I wish to have it considered in a general view.

It

It is essential both to human and divine government, that the influence of motives should be necessary. It is equally essential, that that necessary influence should not have the effect to lessen guilt in the estimation of men. To fulfil both ends, guilt is placed by the moral sense entirely upon will and intention: a man accordingly blames himself for doing mischief willingly and intentionally, without once considering whether he acted necessarily or not. And his sentiments are adopted by all the world: they pronounce the same sentence of condemnation that he himself does. A man put to the torture, yields to the pain, and with bitter reluctance reveals the secrets of his party: another does the same, yielding to a tempting bribe. The latter only is blamed as guilty of a crime; and yet the bribe perhaps operated as strongly on the latter, as torture did on the former. But the one was compelled reluctantly to reveal the secrets of his party; and therefore is innocent: the other acted willingly, in order to procure a great sum of money; and therefore is guilty.

With respect to reason, I observe, that
the

the moral sense is the only judge in this controversy, not the faculty of reason. I should however not be afraid of a sentence against me, were reason to be the judge. For would not reason dictate, that the less a man wavers about his duty, or, in other words, the less influence vicious motives have, the more praise-worthy he is ; and the more blameable, the less influence virtuous motives have.

Nor are we led by common sense to differ from reason or from the moral sense. A man commits murder, overcome by a sudden fit of revenge which he could not resist : do we not reflect, even at our view, that the man did not desire to resist ; and that he would have committed the murder, tho' he had not been under any necessity ? a person of plain understanding will say, What signifies it whether the criminal could resist or no, when he committed the murder wittingly and willingly ? A man gives poison privately out of revenge. Does any one doubt of his guilt, when he never once repented ; tho' after administering the poison it no longer was in his power to draw back ? A man may be guilty and blame-worthy, even where
there

there is external compulsion that he cannot resist. With sword in hand I run to attack an enemy : my foot slipping, I fall headlong upon him, and by that accident the sword is push'd into his body. The external act was not the effect of Will, but of accident : but my intention was to commit murder, and I am guilty. All men acknowledge, that the Deity is necessarily good. Does that circumstance detract from his praise in common apprehension ? On the contrary, he merits from us the highest praise on that very account.

It is commonly said, that there can be no virtue where there is no struggle. Virtue, it is true, is best known from a struggle : a man who has never met with a temptation, can be little confident of his virtue. But the observation taken in a strict sense, is undoubtedly erroneous. A man, tempted to betray his trust, wavers ; but after much doubting refuses at last the bribe. Another hesitates not a moment, but rejects the bribe with disdain : duty is obstinate, and will not suffer him even to deliberate. Is there no virtue in the latter ?

ter? Undoubtedly more than in the former.

Upon the whole, it appears that praise and blame rest ultimately upon the disposition or frame of mind *. Nor is it obvious, that a power to act against motives, could vary in any degree these moral sentiments. When a man commits a crime, let it be supposed that he could have resisted the prevailing motive. Why then did he not resist, instead of bringing upon himself shame and misery? The answer must be, for no other can be given, that his disposition is vitious, and that he is a detestable creature. Further, it is not a little difficult to conceive, how a man can resist a prevailing motive, without having any thing in his mind that should engage him to resist it. But letting that pass, I make the following supposi-

* Malice and resentment, tho' commonly joined together, have no resemblance but in producing mischief. Malice is a propensity of nature that operates deliberately without passion: resentment is a passion to which even good-natured people are subject. A malicious character is esteemed much more vitious than one that is irascible. Does not this shew, that virtue and vice consist more in disposition than in action?

tion. A man is tempted by avarice to accept a bribe: if he resist upon the principle of duty, he is led by the prevailing motive: if he resist without having any reason or motive for resisting, I cannot discover any merit in such resistance: it seems to resolve into a matter of chance or accident, whether he resist or do not resist. Where can the merit lie of resisting a vicious motive, when resistance happens by mere chance? and where the demerit of resisting a virtuous motive, when it is owing to the same chance? If a man, actuated by no principle, good or bad, and having no end or purpose in view, should kill his neighbour, I see not that he would be more accountable, than if he had acted in his sleep, or were mad.

Human punishments are perfectly consistent with the necessary influence of motives, without supposing a power to withstand them. If it be urged, That a man ought not to be punished for committing a crime when he could not resist: the answer is, That as he committed the crime intentionally and with his eyes open, he is guilty in his own opinion, and in the opinion of all men. Here is a just foundation

dation for punishment. And its utility is great ; being intended to deter people from committing crimes. The dread of punishment is a weight in the scale on the side of virtue, to counterbalance vicious motives.

The final cause of this branch of our nature is admirable. If the necessary influence of motives had the effect either to lessen the merit of a virtuous action, or the demerit of a crime, morality would be totally unhinged. The most virtuous action would of all be the least worthy of praise ; and the most vicious be of all the least worthy of blame. Nor would the evil stop there : instead of curbing inordinate passions, we should be encouraged to indulge them, as an excellent excuse for doing wrong. Thus, the moral sentiments of approbation and disapprobation, of praise and blame, are found perfectly consistent with the laws above mentioned that govern human actions, without necessity of recurring to an imaginary power of acting against motives.

The only plausible objection I have met with against the foregoing theory, is the remorse a man feels for a crime he sud-

denly commits, and as suddenly repents of. During a fit of bitter remorse for having slain my favourite servant in a violent passion, without just provocation, I accuse myself for having given way to passion; and acknowledge that I could and ought to have restrained it. Here we find remorse founded on a system directly opposite to that above laid down; a system that acknowledges no necessary connection between an action and its motive; but, on the contrary, supposes that it is in a man's power to resist his passion, and that he ought to resist it. What shall be said upon this point? Can a man be a necessary agent, when he is conscious of the contrary, and is sensible that he can act in contradiction to motives? This objection is strong in appearance; and would be invincible, were we not happily relieved of it by a doctrine laid down in Elements of Criticism (*a*) concerning the irregular influence of passion on our opinions and sentiments. Upon examination, it will be found, that the present case may be added to the many examples there given of that irregular influence.

(*a*) Chap. 2. part 5.

In a peevish fit, I take exception at some flight word or gesture of my friend, which I interpret as if he doubted of my veracity. I am instantly in a flame: in vain he protests that he had no meaning, for impatience will not suffer me to listen. I bid him draw, which he does with reluctance; and before he is well prepared, I give him a mortal wound. Bitter remorse and anguish succeed instantly to rage. "What have I done? I have murdered my innocent, my best friend; and yet I was not mad—with that hand I did the horrid deed; why did not I rather turn it against my own heart?" Here every impression of necessity vanishes: my mind informs me that I was absolutely free, and that I ought to have smothered my passion. I put an opposite case. A brutal fellow treats me with great indignity, and proceeds even to a blow. My passion rises beyond the possibility of restraint: I can scarce forbear so long as to bid him draw; and that moment I stab him to the heart. I am sorry for having been engaged with a ruffian; but have no contrition nor remorse. In this case, I never once dream that I could have resisted the impulse of passion:

passion: on the contrary, my thoughts and words are, "That flesh and blood" could not bear the affront; and that I "must have been branded for a coward," "had I not done what I did." In reality, both actions were equally necessary. Whence then opinions and sentiments so opposite to each other? The irregular influence of passion on our opinions and sentiments, will solve the question. All violent passions are prone to their own gratification. A man who has done an action that he repents of and that affects him with anguish, abhors himself, and is odious in his own eyes: he wishes to find himself guilty; and the thought that his guilt is beyond the possibility of excuse, gratifies the passion. In the first case accordingly, remorse forces upon me a conviction that I might have restrained my passion, and ought to have restrained it. I will not give way to any excuse; because in a severe fit of remorse, it gives me pain to be excused. In the other case, as there is no remorse, things appear in their true light without disguise. To illustrate this reasoning, I observe, that passion warps my judgement of the actions of others,

thers, as well as of my own. Many examples are given in the chapter above quoted : join to these the following. My servant aiming at a partridge, happens to shoot a favourite spaniel crossing the way unseen. Inflamed with anger, I storm at his rashness, pronounce him guilty, and will listen to no excuse. When passion subsides, I become sensible that the action was merely accidental, and that the man is absolutely innocent. The nurse overlays my only child, the long-expected heir to a great estate. With difficulty I refrain from putting her to death : "The wretch" has murdered my infant : she ought to "be torn to pieces." When I turn calm, the matter appears to me in a very different light. The poor woman is inconso-
lable, and can scarce believe that she is innocent : she bitterly reproaches herself for want of care and concern. But, upon cool reflection, both she and I become sensible, that no person in sound sleep has any self-command, and that we cannot be answerable for any action of which we are not conscious. Thus, upon the whole, we discover, that any impression we occasion-
ally have of being able to act in contra-
diction

dition to motives, is the result of passion, not of sound judgement.

The reader will observe, that this section is copied from *Essays on Morality and Natural Religion*. The ground-work is the same: the alterations are only in the superstructure; and the subject is abridged in order to adapt it to its present place. The preceding parts of the *Sketch* were published in the second edition of the *Principles of Equity*. But as law-books have little currency, the publishing the whole in one essay, will not, I hope, be thought improper.

A P P E N D I X.

Upon Chance and Contingency.

I Hold it to be an intuitive proposition,
That the Deity is the primary cause
of all things; that with consummate wisdom
he formed the great plan of government,
which he carries on by laws suited
to the different natures of animate and in-
animate

animate beings; and that these laws, produce a regular chain of causes and effects in the moral as well as the material world, admitting no events but what are comprehended in the original plan (a). Hence it clearly follows, that chance is excluded out of this world, that nothing can happen by accident, and that no event is arbitrary or contingent. This is the doctrine of the essay quoted; and, in my apprehension, well founded. But I cannot subscribe to what follows, "That we have an impression of chance and contingency, which consequently must be delusive." I would not willingly admit any delusion in the nature of man, unless it were made evident beyond contradiction; and I now see clearly, that the impression we have of chance and contingency, is not delusive; but perfectly consistent with the established plan.

The explanation of chance and contingency in the said essay, shall be given in the author's own words, as a proper text to reason upon. "In our ordinary train of thinking, it is certain that all events

(a) See *Essays on Morality and Natural Religion*, part 1. essay 3.

“ appear not to us as necessary. A multitude of events seem to be under our power to cause or to prevent; and we readily make a distinction betwixt events that are *necessary*, *i. e.* that must be; and events that are *contingent*, *i. e.* that may be, or may not be. This distinction is void of truth: for all things that fall out either in the material or moral world, are, as we have seen, alike necessary, and alike the result of fixed laws. Yet, whatever conviction a philosopher may have of this, the distinction betwixt things necessary and things contingent, possesses his ordinary train of thought, as much as it possesses the most illiterate. We act universally upon that distinction: nay it is in truth the cause of all the labour, care, and industry, of mankind. I illustrate this doctrine by an example. Constant experience hath taught us, that death is a necessary event. The human frame is not made to last for ever in its present condition; and no man thinks of more than a temporary existence upon this globe. But the particular time of our death appears a contingent event.

“ However

“ However certain it be, that the time
“ and manner of the death of each indi-
“ vidual is determined by a train of pre-
“ ceding causes, and is no less fixed than
“ the hour of the sun’s rising or setting ;
“ yet no person is affected by this doc-
“ trine. In the care of prolonging life,
“ we are directed by the supposed contin-
“ gency of the time of death, which, to
“ a certain term of years, we consider as
“ depending in a great measure on our-
“ selves, by caution against accidents, due
“ use of food, exercise, &c. These means
“ are prosecuted with the same diligence
“ as if there were in fact no necessary
“ train of causes to fix the period of life.
“ In short, whoever attends to his own
“ practical ideas, whoever reflects upon
“ the meaning of the following words
“ which occur in all languages, of things
“ *possible, contingent, that are in our power*
“ *to cause or prevent* ; whoever, I say, re-
“ flects upon these words, will clearly see,
“ that they suggest certain perceptions or
“ notions repugnant to the doctrine above
“ established of universal necessity.”

In order to show that there is no repug-
nance, I begin with defining *chance* and

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contingency.

contingency. The former is applied to events that have happened; the latter to future events. When we say a thing has happened by *chance*, we surely do not mean that *chance* was the cause; for no person ever imagined that *chance* is a thing that can act, and by acting produce events: we only mean, that we are ignorant of the cause, and that, for ought we see, it might have happened or not happened, or have happened differently. Aiming at a bird, I shoot *by chance* a favourite spaniel: the meaning is not, that chance killed the dog, but that as to me the dog's death was accidental. With respect to contingency, future events that are variable and the cause unknown, are said to be contingent; changes of the weather, for example, whether it will be frost or thaw to-morrow, whether fair or foul. In a word, chance and contingency applied to events, mean not that such events happen without any cause, but only that we are ignorant of the cause.

It appears to me, that there is no such thing in human nature as a sense that any thing happens without a cause: such a sense would be grossly delusive. It is
indeed

indeed true, that our sense of a cause is not always equally distinct: with respect to an event that happens regularly, such as summer, winter, rising or setting of the sun, we have a distinct sense of a cause: our sense is less distinct with respect to events less regular, such as alterations of the weather; and extremely indistinct with respect to events that seldom happen, and that happen without any known cause. But with respect to no event whatever does our sense of a cause vanish altogether, and give place to a sense of things happening without a cause.

Chance and contingency thus explained, suggest not any perception or notion repugnant to the doctrine of universal necessity; for my ignorance of a cause, does not, even in my own apprehension, exclude a cause. Descending to particulars, I take the example mentioned in the text, namely, the uncertainty of the time of my death. Knowing that my life depends in some measure on myself, I use all means to preserve it, by proper food, exercise, and care to prevent accidents. Nor is there any delusion here. I am moved to use

use these means by the desire I have to live: these means accordingly prove effectual to carry on my present existence to the appointed period; and in that view are so many links in the great chain of causes and effects. A burning coal falling from the grate upon the floor, wakes me from a sound sleep. I start up to extinguish the fire. The motive is irresistible: nor have I reason to resist, were it in my power; for I consider the extinction of the fire by my hand, to be one of the means chosen by Providence for prolonging my life to its destined period.

Were there a chain of causes and effects established entirely independent on me, and were my life in no measure under my own power, it would indeed be fruitless for me to act; and the absurdity of knowingly acting in vain, would be a prevailing motive for remaining at rest. Upon that supposition, the *ignava ratio* of Chrysippus might take place; *cui si pareamus, nihil omnino agamus in vita* *. But I act necessarily when influenced by motives; and I have no reason to forbear, consider-

* “ The indolent principle; which if we were to follow, we should do nothing in life.”

ing that my actions, by producing their intended effects, contribute to carry on the great chain.

P A R T II.

Progress of Morality.

HAVING unfolded the principles of morality, the next step is, to trace out its gradual progress, from its infancy among savages to its maturity among polished nations. The history of opinions concerning the foundation of morality, falls not within my plan ; and I am glad to be relieved from an article that is executed in perfection by more able hands (a).

An animal is brought forth with every one of its external members . and completes its growth, not by production of any new member, but by addition of matter to those originally formed. The same holds with respect to internal members ;

(a) Dr Cudworth and Dr Smith.

the senses, for example, instincts, powers and faculties, principles and propensities : these are coeval with the individual, and are gradually unfolded, some early, some late. The external senses, being necessary for self-preservation, soon arrive at maturity. Some internal senses, of order for example, of propriety, of dignity, of grace, being of no use during infancy, are not only slow in their progress toward maturity, but require much culture. Among savages they are scarce perceptible.

The moral sense, in its progress, differs from those last mentioned ; being frequently discovered, even in childhood. It is however slow of growth, and seldom arrives at perfection without culture and experience.

The moral sense not only ripens gradually with the other internal senses mentioned, but from them acquires force and additional authority : a savage makes no difficulty to kill an enemy in cold blood : bloody scenes are familiar to him, and his moral sense is not sufficiently vigorous to give him compunction. The action appears in a different light to a person of delicate feelings ; and accordingly, the moral sense

sense has much more authority over those who have received a refined education, than over savages.

It is pleasant to trace the progress of morality in members of a polished nation. Objects of external sense make the first impressions; and from them are derived a stock of simple ideas. Affection, accompanying ideas, is first directed to particular objects, such as my father, my brother, my companion. The mind, opening by degrees, takes in complex objects, such as my country, my religion, the government under which I live; and these also become objects of affection. Our connections multiply; and the moral sense, acquiring strength as the mind opens, regulates our duty to every connected object. Objects of hatred multiply as well as objects of affection, and give full scope to dissocial passions, the most formidable antagonists that morality has to encounter. But nature hath provided a remedy: the person who indulges malice or revenge, is commonly the greatest sufferer by the indulgence: men become wise by experience, and have more peace and satisfaction in fostering kindly affection: stormy pas-

sions are subdued, or brought under rigid discipline; and benevolence triumphs over selfishness. We refine upon the pleasures of society: we learn to submit our opinions: we affect to give preference to others; and readily fall in with whatever sweetens social intercourse: we carefully avoid causes of discord; and overlooking trivial offences, we are satisfied with moderate reparation, even for gross injuries.

A nation from its original savage state, grows to maturity like the individuals above described, and the progress of morality is the same in both. The savage state is the infancy of a nation, during which the moral sense is feeble, yielding to custom, to imitation, to passion. But a nation, like a member of a polished society, ripens gradually, and acquires a taste in the fine arts, with acuteness of sense in matters of right and wrong. Hatred and revenge, the great obstacles to moral duty, raged without control, while the privilege of avenging wrongs was permitted to individuals (*a*). But hatred and revenge yielded gradually to the pleasures of society, and to the growing authority

(*a*) See *Historical Law tracts. tract 1.*

of the moral sense; and benevolent affections prevailed over dissocial passions. In that comfortable period, we hear no more of cruelty as a national character: on the contrary, the aversion we have to an enemy, is even in war exercised with moderation. Nor do the stormy passions ever again revive; for after a nation begins to decline from its meridian height, the passions that prevail are not of the violent kind, but selfish, timorous, and deceitful.

Morality however has not to this day arrived to such maturity, as to operate between nations with equal steadiness and vigour, as between individuals. Ought this to be regretted as an imperfection in our nature? I think not: had we the same compunction of heart for injuring a nation as for injuring an individual, and were injustice equally blameable as to both; war would cease, and a golden age ensue, than which a greater misfortune could not befall the human race (*a*).

In the progress from maturity to a declining state, a nation differs widely from an individual. Old age puts an end to

(*a*) Book 2. sketch 1.

the latter: there are many causes that weaken the former; but old age is none of them, if it be not in a metaphorical sense. Riches, selfishness, and luxury, are the diseases that weaken prosperous nations: these diseases, following each other in a train, corrupt the heart, dethrone the moral sense, and make an anarchy in the soul: men stick at no expence to purchase pleasure; and they stick at no vice to supply that expence.

Such are the outlines of morality in its progress from birth to burial; and these outlines I purpose to fill up with an induction of particulars. Looking back to the commencement of civil society, when no wants were known but those of nature, and when such wants were amply provided for; we find individuals of the same tribe living innocently and cordially together: they had no irregular appetites, nor any ground for strife. In that state, moral principles joined their influence with that of national affection, to secure individuals from harm. Savages accordingly, who have plenty of food and are simple in habitation and cloathing, seldom transgress the rules of morality within their
own

own tribe. Diodorus Siculus, who composed his history recently after Cæsar's expedition into Britain, says, that the inhabitants dwelt in mean cottages covered with reeds or flocks; that they were of much sincerity and integrity, contented with plain and homely fare; and were strangers to the excess and luxury of rich men. In Friezeland, in Holland, and in other maritime provinces of the Netherlands, locks and keys were unknown, till the inhabitants became rich by commerce: they contented themselves with bare necessities, which every one had in plenty. The Laplanders have no notion of theft. When they make an excursion into Norway, which is performed in the summer months, they leave their huts open, without fear that any thing will be purloined. Formerly they were entirely upright in their only commerce, that of bartering the skins of wild beasts for tobacco, brandy, and coarse cloth. But being often cheated by strangers, they begin to be more cunning. Theft was unknown among the Caribbees till Europeans came among them. When they lost any thing, they said innocently, " the Christians have
" begun

“ been here.” Crantz, describing the inhabitants of Iceland before they were corrupted by commerce with strangers, says, that they lived under the same roof with their cattle; that every thing was common among them except their wives and children; and that they were simple in their manners, having no appetite but for what nature requires. In the reign of Edwin King of Northumberland, a child, as historians report, might have travelled with a purse of gold, without hazard of robbery: in our days of luxury, want is so intolerable, that even fear of death is not sufficient to deter us. All travellers agree, that the native Canadians are perfectly disinterested, abhorring deceit and lying. The Californians are fond of iron and sharp instruments; and yet are so strictly honest, that carpenter-tools left open during night, were safe. The savages of North America had no locks for their goods: they probably have learned from Europeans to be more circumspect. Procopius bears testimony (*a*), that the Sclavi, like the Huns, were innocent people, free of malice. Plan Carpin, the Pope’s am-

(*a*) *Historia Gothica*, lib. 3.

bassador to the Cham of Tartary, *anno*¹1246, says, that the Tartars are not addicted to thieving; and that they leave their goods open without a lock. Nicholas Damascenus reports the same of the Celtæ. The original inhabitants of the island Borneo, expelled by the Mahometans from the sea-coast to the center of the country, are honest, industrious, and kindly to each other: they have some notion of property, but not such as to render them covetous. Pagans in Siberia are numerous; and, tho' grossly ignorant especially in matters of religion, they are a good moral people. It is rare to hear among them of perjury, thieving, fraud, or drunkenness; if we except those who live among the Russian Christians, with whose vices they are tainted. Strahlenberg (*a*) bears testimony to their honesty. Having employ'd a number of them in a long navigation, he slept in the same boat with men whose names he knew not, whose language he understood not, and yet lost not a particle of his baggage. Being obliged to remain a fortnight among the Ostiaks, upon the river Oby, his baggage

(*a*) Description of Russia, Siberia, &c.

lay open in a hut inhabited by a large family, and yet nothing was purloined. The following incident, which he also mentions, is remarkable. A Russian of Tobolski, in the course of a long journey, lodged one night in an Ostiac's hut, and the next day on the road missed his purse with a hundred rubles. His landlord's son, hunting at some distance from the hut, found the purse, but left it there. By his father's order, he covered it with branches, to secure it in case an owner should be found. After three months, the Russian returning, lodged with the same Ostiac; and mentioning occasionally the loss of his purse, the Ostiac, who at first did not recollect his face, cry'd out with joy, "Art thou the man who lost that
" purse? my son shall go and show thee
" where it lies, that thou may'st take it
" up with thine own hand." The Hot-tentots (*a*) have not the least notion of theft: tho' immoderately fond of tobacco and brandy, they are employ'd by the Dutch for tending warehouses full of these commodities. Here is an instance of probity above temptation, even among savages

(*a*) Kolben.

in the first stage of social life. Some individuals are more liberally endued than others with virtuous principles: may it not be thought, that in that respect nature has been more kind to the Hottentots than to many other tribes? Spaniards, settled on the sea-coast of Chili, carry on a commerce with neighbouring savages, for bridles, spurs, knives, and other manufactures of iron; and in return receive oxen, horses, and even children for slaves. A Spaniard carries his goods there; and after obtaining liberty to dispose of them, he moves about, and delivers his goods, without the least reserve, to every one who bargains with him. When all is sold, he intimates his departure; and every purchaser hurries with his goods to him; and it is not known that any one Indian ever broke his engagement. They give him a guard to carry him safe out of their territory, with all the slaves, horses, and cattle he has purchased. The savages of Brazil are faithful to their promises, and to the treaties they make with the Portuguese. Upon some occasions, they may be accused of error and wrong judge-

ment, but never of injustice nor of duplicity.

While the earth was thinly peopled, plenty of food, procured by hunting and fishing, promoted population ; but as population lessens the stock of animal food, a savage nation, encreasing in numbers, must spread wider and wider for more game. Thus tribes, at first widely separated from each other, approach gradually till they become neighbours. Hence a new scene with respect to morality. Differences about their hunting-fields, about their game, about personal injuries, multiply between neighbours ; and every quarrel is blown into a flame, by the aversion men naturally have to strangers. Anger, hatred, and revenge, now find vent, which formerly lay latent without an object : dissocial passions prevail without control, because among savages morality is no match for them ; and cruelty becomes predominant in the human race. Ancient history accordingly is full of enormous cruelties ; witness the incursions of the northern barbarians into the Roman empire ; and the incursions of Genghizcan and Tamerlane into the fertile

tile countries of Asia, spreading destruction with fire and sword, and sparing neither man, woman, nor infant.

Malevolent passions, acquiring strength by daily exercise against persons of a different tribe, came to be vented against persons even of the same tribe; and the privilege long enjoy'd by individuals of avenging the wrongs done to them, bestow'd irresistible force upon such passions (*a*). The history of ancient Greece presents nothing to the reader but usurpations, assassinations, and other horrid crimes. The names of many famous for wickedness, are still preserved; Atreus, for example, Eteocles, Alcibiades, Phedra, Clytemnestra. The story of Pelops and his descendants, is a chain of criminal horrors: during that period, parricide and incest were ordinary incidents. Euripides represents Medea vowing revenge against her husband Jason, and laying a plot to poison him. Of that infamous plot the chorus express their approbation, justifying every woman who, in like circumstances, acts the same part.

(*a*) See Historical Law-tracts, tract 1.

The frequent incursions of northern barbarians into the Roman empire, spread desolation and ruin through the whole. The Romans, from the highest polish degenerating into savages, assumed by degrees the cruel and bloody manners of their conquerors; and the conquerors and conquered, blended into one mass, equalled the grossest barbarians of ancient times in ignorance and brutality. Clovis, King of the Franks, even after his conversion to Christianity, assassinated without remorse his nearest kinsman. The children of Clodomer, *ann* 530, were assassinated by their two uncles. In the thirteenth century, Ezzelino de Aronano obtained the sovereignty of Padua, by massacring 12,000 of his fellow-citizens. Galeas Sforza, Duke of Milan, was assassinated *ann*. 1476 in the cathedral church of Milan, after the assassins had put up their prayers for courage to perpetrate the deed. It is a still stronger proof how low morality was in those days, that the Pope himself, Sixtus IV. attempted to assassinate the two brothers, Laurent and Julien de Medicis; chusing the elevation of the host as a proper time, when the people would be busy about

about their devotions. Nay more, that very Pope, with unparalleled impudence, excommunicated the Florentines for doing justice upon the intended assassins. The most sacred oaths were in vain employed as a security against that horrid crime. Childebert II. King of the Franks, enticed Magnovald to his court, by a solemn oath that he should receive no harm; and yet made no difficulty to assassinate him during the gaiety of a banquet. But these instances, however horrid, make no figure compared with the massacre of St Bartholomew, where many thousands were inhumanly and treacherously butchered. Even so late as the fourteenth and fifteenth centuries, assassination was not held in every case to be criminal. Many solicitous applications were made to general councils of Christian clergy, to declare it criminal in every case; but without success. Ferdinand King of Aragon and Navarre, after repeated assassinations and acts of perfidy, obtained the appellation of *Great*: so little authority had the moral sense, during these dark and sanguinary ages.

But it is scarce necessary to mention
particular

particular instances of the overbearing power of malevolent passions during these ages. An opinion, once universal, that the innocent may be justly involved in the same punishment with the guilty, is of itself irrefragable evidence, that morality formerly had very little influence when opposed by revenge. There is no moral principle more evident, than that punishment cannot be inflicted with justice but upon the guilty; and yet in Greece, the involving of the innocent with the guilty in the same punishment, was authorised even by positive law. By an Athenian law, a man committing sacrilege, or betraying his country, was banished with all his children (*a*). And when a tyrant was put to death, his children suffered the same fate (*b*). The punishment of treason in Macedon, was extended against the criminal's relations (*c*). Hanno, a citizen of Carthage, formed a plot to enslave his country, by poisoning the whole senate at a banquet. He was tortured to death;

(*a*) Meursius de legibus Atticis, lib. 2. cap. 2.

(*b*) Eod. lib. 2. cap. 15.

(*c*) Quintus Curtius, lib. 6. cap. 11.

and

and his children, with all his relations, were cut off without mercy, tho' they had no accession to his guilt. Among the Japanete, a people remarkably ferocious, it is the practice to involve children and relations in the punishment of capital crimes. Even Cicero, the chief man for learning in the most enlightened period of the Roman republic, and a celebrated moralist, approves that practice: "Nec vero me
 " fugit, quam sit æcerbum parentum sce-
 " lera filiorum pœnis hui: sed hoc præ-
 " clare legibus comparatum est, ut cari-
 " tas liberorum amiciores parentes reipu-
 " blicæ redderet * (a)." In Britain, every one knows, that murder was retaliated, not only upon the criminal and his relations, but upon his whole clan; a practice so common as to be distinguished by a peculiar name, that of *deadly feud*. As late as the days of King Edmund, a law

* "I am sensible of the hardship of punishing
 " the child for the crime of the parent: this, how-
 " ever, is a wise enactment of our laws; for here-
 " by the parent is bound to the interest of the state
 " by the strongest of all ties, the affection to his
 " offspring."

(a) Ep. 12. ad Brutum.

was

was made in England, prohibiting deadly feud, except between the relations of the person murdered and the murderer himself.

I embrace the present opportunity to honour the Jews, by observing, that they were the first people we read of, who had correct notions of morality with respect to the present point. The following law is express: "The fathers shall not be put to death for the children, neither shall the children be put to death for the fathers: every man shall be put to death for his own sin (*a*)."
 Amaziah, King of Judah, gave strict obedience to that law, in avenging his father's death: "And it came to pass as soon as the kingdom was confirmed in his hand, that he slew his servants which had slain the king his father. But the children of the murderers he slew not; according to that which is written in the book of the law of Moses (*b*)."
 There is an elegant passage in Ezekiel to the same purpose (*c*): "What mean ye, that ye use this proverb concerning the land of Israel, say-

(*a*) Deuteronomy, xxiv. 16.

(*b*) 2 Kings, chap. 14.

(*c*) Chap. 18.

"ing,

“ ing, The fathers have eaten four grapes,
“ and the children’s teeth are set on edge ?
“ As I live, saith the Lord God, ye shall
“ not have occasion any more to use this
“ proverb in Israel. The soul that sin-
“ neth, it shall die: the son shall not bear
“ the iniquity of the father, neither shall
“ the father bear the iniquity of the son ;
“ the righteousness of the righteous shall
“ be upon him, and the wickedness of
“ the wicked shall be upon him.” A-

mong the Jews however, as among other nations, there are instances without number, of involving innocent children and relations in the same punishment with the guilty. Such power has revenge, as to trample upon conscience, and upon the most express laws. Infligated with rage for Nabal’s ingratitude, King David made a vow to God, not to leave alive of all who pertained to Nabal any that pisseth against the wall. And it was not any compunction of conscience that diverted him from his cruel purpose, but Nabal’s beautiful wife, who pacified him (a). But such contradiction between principle and practice, is not peculiar to the Jews. We find

(a) 1 Samuel, chap. 25.

examples of it in the laws of the Roman empire. The true principle of punishment is laid down in an edict of the Emperors Arcadius and Honorius (*a*). “San-
 “ cimus, ibi esse pœnam, ubi et noxia
 “ est. Propinquos, notos, familiares, pro-
 “ cul a calumnia submovemus, quos reos
 “ sceleris societas non facit. Nec enim
 “ adfinitas vel amicitia nefarium crimen
 “ admittunt. Peccata igitur suos teneant
 “ auctores: nec ulterius progrediatur me-
 “ tus quam reperiatur delictum. Hoc
 “ singulis quibusque iudicibus intime-
 “ tur*.” These very Emperors, with re-
 spect to treason, which touched them near-
 er than other crimes, talk a very different
 language. After observing, that will and
 purpose alone without an overt act, is
 treason, subjecting the criminal to capital

* “ We ordain, that the punishment of the crime
 “ shall extend to the criminal alone. We hold his
 “ relations, his friends, and his acquaintances, un-
 “ suspected; for intimacy, friendship, or connec-
 “ tion, are no proof or argument of guilt. The
 “ consequences of the crime shall pursue only its
 “ perpetrator. Let this statute be intimated to all
 “ our judges.”

(*a*) l. 22. Cod. De pœnis.

punishment

punishment and to forfeiture of all that belongs to him, they proceed in the following words (a). " *Filii vero ejus, quibus vitam Imperatoria specialiter lenitate concedimus, (paterno enim deberent perire supplicio, in quibus paterni, hoc est, hereditarii criminis exempla metuuntur), a materna, vel avita, omnium etiam proximorum hereditate ac successione, habeantur alieni: testamentis extraneorum nihil capeant: sint perpetuo egentes et pauperes, infamia eos paterna semper comitetur, ad nullos prorsus honores, ad nulla sacramenta perveniant: sint postremo tales, ut his, perpetua egestate sordentibus, sit et mors solatium et vita supplicium **."

Human

(a) l. 5. Cod. ad leg. Jul. majest.

* " By a special extension of our imperial clemency, we allow the sons of the criminal to live ; altho' in strict justice, being tainted with hereditary guilt, they ought to suffer the punishment of their father. But it is our will, that they shall be incapable of all inheritance, either from the mother, the grandfather, or any of their kindred ; that they shall be deprived of the power of inheriting by the testament of a stranger ; that they shall be abandoned to the extreme of poverty and perpetual indigence ; that the infamy of their father shall ever attend them, incapable of honours, and ex-

Human nature is not so perverse, as without veil or disguise to punish a person acknowledged to be innocent. An irregular bias of imagination, which extends the qualities of the principal to its accessories, paves the way to that unjust practice (a). That bias, strengthened by indignation against an atrocious criminal, leads the mind hastily to conclude, that all his connections are partakers of his guilt. In an enlightened age, the clearness of moral principles fetters the imagination from confounding the innocent with the guilty. There remain traces however of that bias, tho' not carried so far as murder. The sentence pronounced against Ravilliac for assassinating Henry IV. of France, ordains, " That his house be e-
 " razed to the ground, and that no other
 " building be ever erected upon that
 " spot." Was not this in imagination punishing a house for the proprietor's crime?

" cluded from the participation of religious rites ;
 " that such, in fine, shall be the misery of their
 " condition, that life shall be a punishment, and
 " death a comfort."

(a) Elements of Criticism, chap. 2. sect. 5.

Murder and assassination are not only destructive in themselves, but, if possible, still more destructive in their consequences. The practice of shedding blood unjustly and often wantonly, blunts conscience, and paves the way to every crime. This observation is verified in the ancient Greeks: their cruel and sanguinary character, rendered them little regardful of the strict rules of justice. Right was held to depend on power, among men as among wild beasts: it was conceived to be the will of the gods, that superior force should be a lawful title to dominion; "for what right can the weak have to what they cannot defend?" Were that maxim to obtain, a weak man would have no right to liberty nor to life. That impious doctrine was avowed by the Athenians, and publicly asserted by their ambassadors in a conference with the Melians, reported by Thucydides (*a*). Many persons act as if force and right were the same; but a barefac'd profession of such a doctrine is uncommon. In the *Eumenides*, a tragedy of Eschylus, Orestes is arraigned in the Areopagus for killing his

(*a*) Lib. 5.

mother.

mother. Minerva, president of the court, decrees in favour of Orestes: and for what reason? "Having no mother myself, the murder of a mother toucheth not me*." In the tragedy of *Electra*, Orestes, consulting the Delphic oracle about means to avenge his father's murder, was enjoined by Apollo to forbear force, but to employ fraud and guile. Obedient to that injunction, Orestes commands his tutor to spread in Argos the news of his death, and to confirm the same with a solemn oath. In Homer, even the great Jupiter makes no difficulty to send a lying dream to Agamemnon, chief of the Greeks. Dissimulation is recommended by the goddess Minerva (*a*). Ulysses de-

* Athens, from the nature of its government, as established by Solon, was rendered incapable of any regular or consistent body of laws. In every case, civil and criminal, the whole people were judges in the last resort. And what sort of judges will an ignorant multitude make, who have no guide but passion and prejudice? It is vain to make good laws, when such judges are the interpreters. Anacharsis, the Scythian, being present at an assembly of the people, said, "It was singular, that in Athens, wise men pleaded causes, and fools determined them."

(*a*) *Odysses*, book 13.

clares

clares his detestation at using freedom with truth (a): and yet no man deals more in feigned stories (b). In the 22d book of the Iliad, Minerva is guilty of gross deceit and treachery to Hector. When he flees from Achilles, she appears to him in the shape of his brother Deiphobus, exhorts him to turn upon Achilles, and promises to assist him. Hector accordingly, returning to the fight, darts his lance; which rebounds from the shield of Achilles, for by Vulcan it was made impetrable. Hector calls upon his brother for another lance; but in vain, for Deiphobus was not there. The Greeks in Homer's time must have been strangely deformed in their morals, when such a story could be relished *. A nation begins not

* Upon the story of Jupiter being deceived by Juno in the 14th book of the Iliad, Pope says, "That he knows not a bolder fiction in all antiquity, nor one that has a greater air of impiety." Pope it would seem was little acquainted with antiquity: for such acts of impiety were common among the Greeks; and in particular the incident mentioned in the text, is not only more impious, but also a more gross violation of the laws of morality.

(a) Book 14.

(b) Book 14. book 15.

to polish nor to advance in morality, till writing be common; and writing was not known among the Greeks at the siege of Troy. Nor were the morals of that people, as we see, much purified for a long time after writing became common. When Plautus wrote, the Roman system of morals must have been extremely impure. In his play termed *Menæchmi*, a gentleman of fashion having accidentally got into his hands a lady's robe with a gold clasp; instead of returning them to the owner, endeavours to sell them without shame or remorse. Such a scene would not be endured at present, except among pick-pockets. Both the Greeks and Carthaginians were held by the Romans to be artful and cunning. The Romans continued a plain people, with much simplicity of manners, when the nations mentioned had made great progress in the arts of life; and it is a sad truth, that morality declines in proportion as a nation polishes. But if the Romans were later than the Greeks and Carthaginians in the arts of life, they soon surpassed them in every sort of immorality. For this change of manners, they were indebted to their rapid conquests.

quests. The sanguinary disposition both of the Greeks and Romans, appears from another practice, that of exposing their infant children, which continued till humanity came in some measure to prevail. The practice continues in China to this day, the populousness of the country throwing a veil over the cruelty; but from the humanity of the Chinese, I conjecture, that the practice is rare. The Jews, a cloudy and peevish tribe much addicted to bloodshed, were miserably defective in moral principles. Take the following examples out of an endless number recorded in the books of the Old Testament. Jael, wife of Heber, took under her protection Sisera, general of the Canaanites, and engaged her faith for his security. She put him treacherously to death when asleep; and was applauded by Deborah the prophetess for the meritorious action (a). That horrid deed would probably have appeared to her in a different light, had it been committed against Barac, general of the Israelites. David, flying from Saul, took refuge with Achish, King of Gath; and, tho' protected by that King, made

(a) Judges, iv. 5.

war against the King's allies, saying, that it was against his own countrymen of Judah. "And David saved neither man nor woman alive to bring tidings to Gath. "And Achish believed David, saying, He hath made his people Israel utterly to abhor him: therefore he shall be my servant for ever (a)." This was a complication of ingratitude, lying, and treachery. Ziba, by presents to King David and by 'defaming his master Mephibosheth, procured from the King a gift of his master's inheritance; tho' Mephibosheth had neither trimmed his beard, nor washed his cloaths, from the day the King departed till he returned in peace. "And it came to pass, when Mephibosheth was come to Jerusalem to meet the king, that the king said unto him, Wherefore wentest thou not with me, Mephibosheth? And he answered, My lord, O king, my servant deceived me; for thy servant said, I will saddle me an ass, that I may ride thereon, and go to the king; because thy servant is lame, and he hath slandered thy servant unto my lord the king. But my lord the king is

(a) 1 Samuel, xxvii. 11.

“ as an angel of God: do therefore what
“ is good in thine eyes. For all my fa-
“ ther’s house were but dead men before
“ my lord the king: yet didst thou set
“ thy servant among them that did eat at
“ thine own table: what right therefore
“ have I to cry any more unto the king?”
David could not possibly atone for his
rashness, but by restoring to Mephibo-
sheth his inheritance, and punishing Ziba
in an exemplary manner. But hear the
sentence: “ And the king said unto him,
“ Why speakest thou any more of thy
“ matters? I have said, Thou and Ziba
“ divide the land (a).” The same king,
after pardoning Shimei for cursing him,
and swearing that he should not die; yet
upon deathbed enjoined his son Solomon
to put Shimei to death: “ Now therefore
“ hold him not guiltless; but his hoary
“ head bring thou down to the grave with
“ blood (b).” I wish not to be misappre-
hended, as intending to censure David in
particular. If the best king the Jews e-
ver had, was so miserably deficient in mo-
rality, what must be thought of the na-

(a) 2 Samuel, xix. 24.

(b) 1 Kings, ii. 9.

tion in general? When David was lurking to avoid the wrath of Saul, he became acquainted with Nabal, who had a great stock of cattle. "He discharged his followers," says Josephus (a), "either for avarice, or hunger, or any pretext whatever, to touch a single hair of them; preaching still on the text of doing justice to all men, in conformity to the will of God, who is not pleased with any man that covets or lays violent hands on the goods of his neighbour." Our author proceeds to acquaint us, that Nabal having refused to supply David with provisions, and having sent back the messengers with a scoffing answer, David in rage made a vow, that he would destroy Nabal with his house and family. Our author observes, that David's indignation against Nabal, was not so much for his ingratitude, as for the virulence of an intolent outrage against one who had never injured him. And what was the outrage? It was, says our author, that Nabal enquiring who the said David was, and being told that he was one of the sons of Jesse, "Yes, yes," says

(a) Antiquities, book 6.

Nabal,

Nabal, "your run-away servants look up-
"on themselves to be brave fellows, I
"warrant you." Strange looseness of
morals! I mean not David, who was in
wrath, but Josephus writing sedately in
his closet. He every where celebrates Da-
vid for his justice and piety, composes for
him the very warm exhortation mention-
ed above: and yet thinks him not guilty
of any wrong, in vowing to break every
rule of justice and humanity, upon so
slight a provocation as a scoffing expres-
sion, such as no man of temper will re-
gard.

European nations, who originally were
fierce and sanguinary like the Greeks and
Jews, had the same cloudy and uncorrect
notions of right and wrong. It is scarce
necessary to give instances, the low state
of morality during the dark ages of Chri-
stianity being known to all. In the time
of Louis XI. of France, promises and en-
gagements were utterly disregarded, till
they were sanctified by a solemn oath:
nor were such oaths long regarded; they
lost their force, and were not relied on
more than simple promises. All faith a-
mong men seemed to be at an end. Even
those

those who appeared the most scrupulous about character, were however ready to grasp at any subterfuge to excuse their breach of engagement. And it is a still clearer proof of self-deceit, that such subterfuges were frequently prepared beforehand, in order to furnish an excuse. It was a common practice some ages ago, to make private protestations, which were thought sufficient to relieve men in conscience from being bound by a solemn treaty. The Scotch nation, as an ally of France, being comprehended in a treaty of peace between the French King and Edward I of England, the latter ratified publicly the treaty, after having secretly protested before notaries against the article that comprehended Scotland. Charles, afterward Emperor of Germany, during his minority, gave authority to declare publicly his accession to a treaty of peace, between his grandfather Maximilian and the King of France: but at the same time protested privately, before a notary and witnesses, “ That, notwithstanding his public ac-
“ cession to the said treaty, it was not his
“ intention to be bound by every article
“ of it; and particularly, that the clause
“ reserving

“ reserving to the King of France the
“ sovereignty of certain territories in the
“ Netherlands, should not be binding.” Is
it possible Charles could be so blind as not
to see, that such a protestation, if sufficient
to relieve from an engagement, must de-
stroy all faith among men? Francis I. of
France, while prisoner in Spain, engaged
Henry VIII. of England in a treaty a-
gainst the Emperor, submitting to very
hard terms in order to gain Henry’s
friendship. The King’s ministers protest-
ed privately against* some of the articles;
and the protest was recorded in the secret
register of the parliament of Paris, to serve
as an excuse in proper time, for breaking
the treaty. At the marriage of Mary
Queen of Scotland to the Dauphin of
France, the King of France ratified every
article insisted on by the Scotch parlia-
ment, for preserving the independence of
the nation, and for securing the succession
of the crown to the house of Hamilton;
confirming them by deeds in form and
with the most solemn oaths. But Mary
previously had been persuaded to subscribe
privately three deeds, in which, failing
heirs of her body, she gifted the king-
dom

dom of Scotland to the King of France; declaring all promises to the contrary that had been extorted from her by her subjects, to be void. What better was this than what was practised by Robert King of France in the tenth century, to free his subjects from the guilt of perjury? They swore upon a box of relics, out of which the relics had been privately taken. Correa, a Portuguese general, made a treaty with the King of Pegu; and it was agreed, that each party should swear to observe the treaty, laying his hand upon the sacred book of his religion. Correa swore upon a collection of songs; and thought that by that vile stratagem he was free from his engagement. The inhabitants of Britain were so loose formerly, that a man was not reckoned safe in his own house, without a mastiff to protect him from violence. Mastiffs were permitted even to those who dwelt within the king's forests; and to prevent danger to the deer, there was in England a court for *lawing* or *expedition* of mastives, i. e. for cutting off the claws of their fore-feet to prevent them from running.

ning (a). The trial and condemnation of Charles I. in a pretended court of justice, however audacious and unconstitutional, was an effort toward regularity and order. In the preceding age, the king would have been taken off by assassination or poison. Every prince in Europe had an officer, whose province it was to secure his master against poison. A lady was appointed to that office by Queen Elifabeth of England; and the form was, to give to each of the servants a mouthful to eat of the dish he brought in. Poison must have been frequent in those days, to make such a regulation necessary. To vouch still more clearly the low ebb of morality during that period, seldom it happened that a man of figure died suddenly, or of an unusual disease, but poison was suspected. Men conscious of their own vicious disposition, are prone to suspect others. The Dauphin, son to Francis I. of France, a youth of about eighteen, having overheated himself at play, took a great draught of iced water, and died of a pleurisy in five days. The death was sudden, but none is more

(a) Carta de Foresta, cap. 6.

natural. The suspicion however of poison was universal; and Montecuculi, who attended the young prince, was formally condemned to death for it, and executed; for no better reason, than that he had at all times ready access to the prince.

Considering the low state of morality where dissocial passions bear rule, as in the scenes now display'd, one would require a miracle to recover mankind out of so miserable a state. But, as observed above (*a*), Providence brings order out of confusion. The intolerable distress of a state of things where a promise, or even an oath, is a rope of sand, and where all are set against all (*b*), made people at last sensible, that they must either renounce society altogether, or qualify themselves for it by checking their dissocial passions. Finding from experience, that the gratification of social affections exceeds greatly that of cruelty and revenge; men endeavoured to acquire a habit of self-command, and of restraining their stormy passions. The necessity of fulfilling every moral duty was recognised: men listened to conscience, the voice of God in their

(*a*) Book 2. sketch 1.

(*b*) Hobbes.

hearts:

hearts : and the moral sense was cordially submitted to, as the ultimate judge in all matters of right and wrong. Salutary laws and steady government contributed to perfect that glorious revolution : private conviction alone would not have been effectual, not at least in many ages.

From that revolution is derived what is termed *the law of nations*, meaning certain regulations dictated by the moral sense in its maturity. The laws of our nature refine gradually as our nature refines. From the putting an enemy to death in cold blood, improved nature is averse, tho' such practice was common while barbarity prevailed. It is held infamous to use poisoned weapons, tho' the moral sense made little opposition while rancour and revenge were ruling passions. Aversion to strangers is taught to vary its object, from individuals, to the nation that is our enemy : I bear enmity against France ; but dislike not any one Frenchman, being conscious that it is the duty of subjects to serve their king and country *. In distributing justice, we make no distinction between

* In one of our ill-concerted descents upon France
X 2 during

tween natives and foreigners : if any partiality be indulged, it is in favour of the helpless stranger.

But cruelty is not the only antagonist to morality. There is another, less violent indeed, but more cunning and undermining; and that is the hoarding-appetite. Before money was introduced, that appetite was extremely faint : in the first stage of civil society, men are satisfied with plain necessities ; and having these in plenty, they think not of providing against want. But money is a species of property, so universal in operation, and so permanent in value, as to rouse the appetite for hoarding : love of money excites industry ; and the many beautiful productions of industry, magnificent houses, splendid gardens, rich garments, inflame the appetite to an extreme. The people of Whidah, in Guinea, are much addicted to piltering. Bozman was told by the king, " That his subjects were

during the late war, signal humanity appeared, in forbearing to burn a manufactory of sails and ropes, belonging to the King ; because it would have destroyed an adjoining building of the same kind belonging to a private manufacturer.

" not

“ not like those of Ardrah, who on the
“ slightest umbrage will poison an Euro-
“ pean. This, says he, you have no rea-
“ son to apprehend here : but take care
“ of your goods ; for so expert are my
“ people at thieving, that they will steal
“ from you while you are looking on.”

In the thirteenth century, so obscured was the moral sense by rapacity and avarice, that robbery on the highway, and the coining false money, were in Germany held to be privileges of great lords. Cicero some where talks of banditti who infested the roads near Rome, and made travelling extremely dangerous. In the days of Henry III. of England, the chronicle of Dunstable reports, that the country was in great disorder by theft and robbery, that men were not secure in their own houses, and that whole villages were often plundered by bands of robbers, tho' the kingdom was otherwise at peace. Many of the King's own household were found to be robbers ; and excused themselves, that having received no wages from the King, they were obliged to rob for subsistence. That perjury was common in the city of London, especially among jury-
men,

men, makes a preamble in more than one statute of Henry VII. In *the Dance of Death*, translated from the French in the said king's reign with additions adapted to English manners, a jurymen is introduced, who, influenced by bribes, had frequently given a false verdict. And the sheriff was often suspected as accessory to the crime, by returning for jurymen persons of a bad character. Carew, in his account of Cornwall, says, that it was an ordinary article in an attorney's bill, to charge *pro amicitia vicecomitis* *. Perjury in jurors of the city of London is greatly complained of. Stow informs us, that, in the year 1468, many jurors of that city were punished; and papers fixed on their heads declaring their offence of being corrupted by the parties to the suit. He complains of that corruption as flagrant in the reign of Elizabeth, when he wrote his account of London. Fuller, in his *English Worthies*, mentions it as a proverbial saying, "That London juries hang half, and save half." Grafton, in his *Chronicle*, mentions, that the chancellor of the Bishop of London being indicted

* "For the friendship of the sheriff."

for

for murder, the Bishop wrote a letter to Cardinal Wolsey, begging his interposition for having the prosecution stopt, "because London juries were so corrupted, that they would find Abel guilty of the murder of Cain." Mr Hume, in the first volume of his history of England (page 417. edition 1762.) cites many instances from Madox of bribes given for perverting justice. In that period, the morals of the low people were in other particulars equally loose. We learn from Strype's annals (a), that in the county of Somerset alone, forty persons were executed in one year for robbery, theft, and other felonies, thirty-five burnt in the hand, thirty-seven whipped, one hundred and eighty-three discharged tho' most wicked and desperate persons; and yet that the fifth part of the felonies committed in that county were not brought to trial, either from cunning in the felons, indolence in the magistrate, or foolish lenity in the people; that other counties were in no better condition, and many in a worse; and that commonly there were three or four hundred able-bodied vagabonds in every

(a) Vol. 4.

county,

county, who lived by theft and rapine. Harrifon computes, that in the reign of Henry VIII. feventy-two thoufand thieves and rogues were hanged ; and that in E- lifabeth's time there were only hanged yearly between three and four hundred for theft and robbery. At prefent, there are not forty hanged in a year for thefe crimes. The fame author reports, that in the reign of Elifabeth, there were computed to be in England ten thoufand gyp- fies. In the year 1601, complaints were made in parliament, of the rapine of the juftices of peace ; and a member faid, that this magiftrate was an animal, who, for half a dozen of chickens, would difpenfe with a dozen of penal ftatutes. The low people in England are greatly improved in their morals fince the days of Elifabeth. Laying afide London, there are few places in the world where the common people are more orderly and honeft. But we muft not conclude, that England has gained much in point of morality. It has loft more by the luxury and loofe manners of its nobles, than it has gained by good difcipline among their inferiors. The un- difciplined manners of our forefathers in
Scotland,

Scotland, made a law necessary, that whoever intermeddled irregularly with the goods of a deceased person, should be subjected to pay all his debts, however extensive. A due submission to legal authority, has in effect abrogated that severe law; and it is now scarce ever heard of.

To control the hoarding-appetite, which when inflamed is the bane of civil society, the God of nature has provided two efficacious principles; the moral sense, and the sense of property. The hoarding-appetite, it is true, is more and more inflamed by beautiful productions in the progress of art: but, on the other hand, the senses mentioned, arrived at maturity, have a commanding influence over the actions of men; and, when cherished in a good government, are a sufficient counterbalance to the hoarding-appetite. The ancient Egyptians enjoy'd for ages the blessings of good government; and moral principles were among them carried to a greater degree of refinement than at present even in our courts of equity. It was made the duty of every one, to succour those who were unjustly attacked: even passengers were not exempted. A regula-

tion among them, that a man could not be imprisoned for debt, was well suited to the tenor of their laws and manners: it could not have taken place but among an honest and industrious people. In old Rome, tho' remarkable for temperance and austerity of manners, a debtor could be imprisoned, and even sold as a slave, for payment of the debt; but the Patricians were the creditors, and the poor Plebeians were held in woful subjection*.

The

* A bankrupt in England who pays three fourths of his debt, and obtains a certificate of his good behaviour, is discharged of all the debts contracted by him before his bankruptcy. Such regulation was perhaps not unsuitable to the moderation and frugality of the period when it was made. But luxury and external show, have now become our ruling passions; and to supply our extravagance, money must be procured at any rate. Trade in particular has degenerated into a species of gaming; men venturing their all, in hopes of a lucky hit to elevate them above their neighbours. And did they only venture their own, the case would not be deplorable: they venture all they can procure upon credit; and by that means, reduce to beggary many an innocent family: with respect to themselves, they know the worst, which is to be clear'd from their debts by a certificate. The morals of our people are indeed at so low an ebb, as to require the
most

The moderation of the inhabitants of Hamburg, and their public spirit kept in vigour by a free government, preserve morality among them entire from taint or

most severe laws against bankruptcy. When a man borrows a sum, it is implied in the covenant, that all his effects present and future shall lie open to the creditor; for which reason, it is contradictory to justice, that the creditor should be forc'd to discharge the debt without obtaining complete payment. Many debtors, it is true, deserve favour; but it ought to be left to the humanity of creditors, and not be forc'd from them by law. A debtor, at the time time, may be safely left to the humanity of his creditors: for if he have conducted his affairs with strict integrity and with any degree of prudence, there will scarce be found one man so hard hearted, as to stand out against the laudable and benevolent intentions of his fellow-creditors. Nay, if he have any regard to character, he dare not stand out: he would be held as a monster, and be abhorred by all the world. To leave a bankrupt thus to the mercy of his creditors, would produce the most salutary effects. It would excite men to be strictly just in their dealings, and put an end to gaming, so destructive to credit; because misbehaviour in any of these particulars would set the whole creditors against their debtor, and leave him no hope of favour. In the late bankrupt-statute for Scotland, accordingly, the clause concerning the certificate was wisely left out, as unsuitable to the depraved manners of the present time.

corruption. I give an illustrious instance. Instead of a tax upon trade or riches, every merchant puts privately into the public chest, what he thinks ought to be his contribution: the total sum seldom falls short of expectation; and among that numerous body of men, not one is suspected of contributing less than his proportion. But luxury has not yet got footing in that city. A climate not kindly and a soil not fertile, enured the Swiss to temperance and to virtue. Patriotism continues their ruling passion: they are fond of serving their country; and are honest and faithful to each other: a law-suit among them is a wonder; and a door is seldom shut unless to keep out cold.

The hurtful effects of the hoarding-appetite upon individuals, make no figure compared with what it has upon the public, in every state enriched by conquest or by commerce; which I have had more than one opportunity to mention. Overflowing riches unequally distributed, multiply artificial wants beyond all bounds: they eradicate patriotism: they foster luxury, sensuality, and selfishness, which are commonly gratified at the expence
even

even of justice and honour. The Athenians were early corrupted by opulence; to which every thing was made subservient. "It is an oracle," says the chorus in the *Agamemnon* of *Æschylus*, "that is not purchased with money." During the infancy of a nation, vice prevails from imbecillity in the moral sense: in the decline of a nation, it prevails from the corruption of affluence.

In a small state, there is commonly much virtue at home, and much violence abroad. The Romans were to their neighbours more baneful than famine or pestilence; but their patriotism produced great integrity at home. An oath, when given to fortify an engagement with a fellow-citizen, was more sacred at Rome than in any other part of the world^(a). The censorian office cannot succeed but among a virtuous people; because its rewards and punishments have no influence but upon those who are ashamed of vice*. As soon

as

(a) *L'Esprit des loix*, liv. 8. ch. 13.

* In the fifteenth century, the French clergy from the pulpit censured public transactions, and even the conduct of their king, as our British clergy did

as Asiatic opulence and luxury prevailed in Rome, selfishness, sensuality, and avarice, formed the character of the Romans; and the censorian power was at an end. Such relaxation of morals ensued, as to make a law necessary, prohibiting the custody of an infant to be given to the heir, for fear of murder. And for the same reason, it was held unlawful to make a covenant *de hereditate viventis*. These regulations prove the Romans to have been grossly corrupt. Our law is different in both articles; because it entertains not the same bad opinion of the people whom it governs *. Domitius Enobarbus and Appius Pulcher were consuls of Rome in

did in the days of Charles I. and II. They assumed the privilege of a Roman censor; but they were not men of such authority as to do any good in a corrupted nation.

* In the beginning of the present century, attorneys and agents were to little rely'd on for honesty and integrity, as to be disqualified by the court of session from being factors on the estates of bankrupts. (Act of sederunt 23d November 1710). At present, the factors chosen are commonly of that profession, writers or agents; and it appears from experience, that they make the best factors. Such improvement in morals in so short a time, has not many parallels.

the

the 699th year; and Memmius and Calvinus were candidates for succeeding them in that office. It was agreed among these four worthy gentlemen, that they should mutually assist each other. The consuls engaged to promote the election of Memmius and Calvinus: and they, on the other hand, subscribed a bond, obliging themselves, under a penalty of about L. 3000 Sterling, to procure three augurs, who should attest, that they were present in the comitia when a law passed investing the consuls with military command in their provinces; and also obliging themselves to produce three persons of consular rank, to depose, that they were in the number of those who signed a decree, conferring on the consuls the usual proconsular appointments. And yet the law made in the comitia, and the decree in the senate, were pure fictions. Infamous as this transaction was, Memmius, to answer some political purpose, was not ashamed to divulge it to the senate. This same Memmius, however, continued to be Cicero's correspondent, and his professed friend *Proh tempora! proh mores!* But the passion for power and riches was at
that

that time prevalent; and the principles of morality were very little regarded.

It cannot be dissembled, that selfishness, sensuality, and avarice, must in England be the fruits of great opulence, as in every other country; and that morality cannot maintain its authority against such undermining antagonists. Customhouse-oaths have become so familiar among us, as to be swallowed without a wry face; and is it certain, that bribery and perjury in electing parliament-members, are not approaching to the same cool state? In the infancy of morality, a promise makes but a slight impression: to give it force, it is commonly accompanied with many ceremonies (a); and in treaties between sovereigns, even these ceremonies are not relied on without a solemn oath. When morality arrives at maturity, the oath is thought unnecessary; and at present, morality is so much on the decline, that a solemn oath is no more relied on, than a simple promise was originally. Laws have been made to prevent such immorality, but in vain: because none but patriots have an interest to support them; and

(a) See Historical Law tracts, tract 2.

when

when patriotism is banished by corruption, there is no remaining spring in government to make them effectual. The statutes made against gaming, and against bribery and corruption in elections, have no authority over a degenerate people. Nothing is studied, but how to evade the penalties; and supposing statutes to be made without end for preventing known evasions, new evasions will spring up in their stead. The misery is, that such laws, if they prove abortive, are never innocent with regard to consequences; for nothing is more subversive of morality as well as of patriotism, than a habit of disregarding the laws of our country*.

But

* Lying and perjury are not in every case equally criminal; at least are not commonly reckoned so. Lying or perjury, in order to injure a man, is held highly criminal; and the greater the hurt, the greater the crime. To relieve from punishment, few boggle at a lie or at perjury; sincerity is not even expected; and hence the practice of torture. Many men are not scrupulous about oaths, when they have no view but to obtain justice to themselves: the Jacobites, that they might not be deprived of their privileges as British subjects, made no great difficulty to swallow oaths to the present government, tho' in them it was perjury. It is dan-

But pride sometimes happily interposes to stem the tide of corruption. The poor are not ashamed to take a bribe from the rich; nor weak states from those that are powerful, disguised only under the name of *subsidy* or *pension*. Both France and England have been in the practice of securing the alliance of neighbouring princes by pensions; and it is natural in the ministers of a pensioned prince, to receive a gratification for keeping their master to his engagement. England never was at any time so inferior to France, as to suffer her king openly to accept a pension from the French king, whatever private transactions might be between the kings themselves. But the ministers of England

generous to withdraw the smallest peg in the moral edifice; for the whole will totter and tumble. Men creep on to vice by degrees. Perjury in order to support a friend, has become customary of late years; witness fictitious qualifications in the electors of parliament men, which are made effectual by perjury: yet such is the degeneracy of the present times, that no man is the worse thought of upon that account. We must not flatter ourselves that the poison will reach no farther: a man who boggles not at perjury to serve a friend, will in time become such an adept, as to commit perjury in order to ruin a friend when he becomes an enemy.

thought

thought it no disparagement, to receive pensions from France. Every minister of Edward IV. of England received a pension from Louis XI.; and they made no difficulty of granting a receipt for the sum. The old Earl of Warwick, says Commynes, was the only exception: he took the money, but refused a receipt. Cardinal Wolsey had a pension both from the Emperor and from the King of France: and his master Henry was vain to find his minister so much regarded by the first powers in Europe. During the reigns of Charles II. and of his brother James, England made so despicable a figure, that the ministers accepted pensions from Louis XIV. A king deficient in virtue, is never well served. King Charles, most disgracefully, accepted a pension from France: what scruple could his ministers have? Britain, governed by a king eminently virtuous and patriotic, makes at present so great a figure, that even the lowest minister would disdain a pension from any foreign prince. Men formerly were so blind, as not to see that a pension creates a bias in a minister, against his master and his country. At present, men clearly see, that a foreign

pension to a minister is no better than a bribe; and it would be held so by all the world.

In a nation enriched by conquest or commerce, where selfish passions always prevail, it is difficult to stem the tide of immorality: the decline of virtue may be retarded by wholesome regulations; but no regulations will ever restore it to its meridian vigour. Marcus Aurelius, Emperor of Rome, caused statues to be made of all the brave men who figured in the Germanic war. It has long been a practice in China, to honour persons eminent for virtue, by feasting them annually at the Emperor's expence. A late Emperor made an improvement: he ordered reports to be sent him annually, of men and women who when alive had been remarkable for public spirit or private virtue, in order that monuments might be erected to their memory. The following report is one of many that were sent to the Emperor. "According to the order of your Majesty, for erecting monuments to the honour of women, who have been celebrated for continence, for filial piety, or for purity of manners, the viceroy
" of

“ of Canton reports, that in the town of
“ Sinhoei, a beautiful young woman,
“ named *Leang*, sacrificed her life to save
“ her chastity. In the fifteenth year of
“ our Emperor Canghi, she was dragg’d
“ by pirates into their ship; and ha-
“ ving no other way to escape their
“ brutal lust, she threw herself head-
“ long into the sea. Being of opinion,
“ that to prefer honour before life is
“ an example worthy of imitation, we
“ purpose, according to your Majesty’s
“ order, to erect a triumphal arch for
“ that young woman, and to engrave
“ her story upon a large stone, that it
“ may be preserved in perpetual remem-
“ brance.” At the foot of the report is
written, *The Emperor approves*. Pity it is,
that such regulations should ever prove a-
bortive, for their purpose is excellent.
But they would need angels to carry them
on. Every deviation from a just selection
enervates them; and frequent deviations
render them a subject of ridicule. But
how are deviations to be prevented, when
men are the judges? Those who dis-
tribute the rewards have friends or flatter-
ers; and those of greater merit will be
neglected. Like the censorian power in
Rome,

Rome, such regulations, after many abuses, will sink into contempt.

Two errors, which infested morality in dark times, have occasioned much injustice ; and I am not certain, that they are yet entirely eradicated. The first is an opinion, That an action derives its quality of right and wrong from the event, without regard to intention. The other is, That the end justifies the means ; or, in other words, That means otherwise unlawful, may be lawfully employ'd to bring about a good end. With an account of these two errors, I shall close the present historical sketch.

That intention is the circumstance which qualifies an action and its author, to be criminal or innocent, is made evident in the first part of the present sketch ; and is now admitted to be so by every moral writer. But rude and barbarous nations seldom carry their thoughts beyond what falls under their external senses : they conclude an action to be right that happens to do good, and an action to be wrong that happens to do harm ; without ever thinking of motives, of Will, of intention, or of any circumstance that is not obvious

obvious to eye-sight. From many passages in the Old Testament it appears, that the external act only, with its consequences, was regarded. Isaac, imitating his father Abraham, made his wife Rebecca pass for his sister. Abimelech, King of the Philistines, having discovered the imposture, said to Isaac, "What is this thou hast done unto us? One of the people might lightly have lien with thy wife, and thou shouldst have brought guiltiness upon us (*a*)."
Jonathan was condemned to die for transgressing a prohibition he had never heard of (*b*).
A sin of ignorance, *i. e.* an action done without ill intention, required a sacrifice of expiation (*c*).
Saul, defeated by the Philistines, fell on his own sword: the wound not being mortal, he prevailed on a young Amalekite, to pull out the sword, and to dispatch him with it. Josephus (*d*) says, that David ordered the criminal to be delivered up to justice as a regicide.

The Greeks appear to have wavered greatly about intention, sometimes holding it essential to a crime, and sometimes

(*a*) Genesis, chap. 26. (*b*) 1 Samuel, xiv. 24.

(*c*) Leviticus, chap. 4. (*d*) Book 3. of Antiquities.

disregarding

disregarding it as a circumstance of no moment. Of these contradictory opinions, we have pregnant evidence in the two tragedies of Oedipus; the first taking it for granted, that a crime consists entirely in the external act and its consequences; the other holding intention to be indispensable. Oedipus had killed his father Laius, and married his mother Jocasta; but without any criminal intention, being ignorant of his relation to them. And yet history informs us, that the gods punished the Thebans with pestilence, for suffering a wretch so grossly criminal to live. Sophocles, author of both tragedies, puts the following words in the mouth of Tiresias the prophet.

——— Know then,
That Oedipus, in shameful bonds united,
With those he loves, unconscious of his guilt,
Is yet most guilty.

And that doctrine is espoused by Aristotle in a later period; who holding Oedipus to have been deeply criminal, tho' without intention, is of opinion, that a more proper subject for tragedy never was brought upon the stage. Nay as a philosopher

fopher he talks currently of any involuntary crime. Orestes, in Euripides, acknowledges himself to be guilty in killing his mother; yet asserts with the same breath, that his crime was inevitable, a necessary crime, a crime commanded by religion.

In Oedipus Coloneus, the other tragedy mentioned, a very different opinion is maintained. A defence is made for that unlucky man, agreeable to sound moral principles; that, having had no bad intention, he was entirely innocent; and that his misfortunes ought to be ascribed to the wrath of the gods.

Thou who upbraid'st me thus for all my woes,
 Murder and incest, which against my will
 I had committed; so it pleas'd the gods,
 Offended at my race for former crimes.
 But I am guiltless: can'st thou name a fault
 Deserving this? For, tell me, was it mine,
 When to my father, Phœbus did declare,
 That he should one day perish by the hand
 Of his own child; was Oedipus to blame,
 Who had no being then? If, born at length
 To wretchedness, he met his fire unknown,
 And slew him; that involuntary deed
 Can'st thou condemn? And for my fatal marriage,
 Dost thou not blush to name it? was not the
 Thy sister, she who bore me, ignorant

And guiltless woman ! afterwards my wife,
And mother to my children ? What she did, she
did unknowing.

But, not for that, nor for my murder'd father,
Have I deserv'd thy bitter taunts : for, tell me,
Thy life attack'd, wouldst thou have staid to ask
Th' assassin, if he were thy father ? No ;
Self-love would urge thee to revenge the insult.
Thus was I drove to ill by th' angry gods ;
This, should my father's soul revisit earth,
Himself would own, and pity Oedipus.

Again, in the fourth act, the following
prayer is put up for Oedipus by the cho-
rus.

————— O grant,
That not oppress'd by tort'ring pain,
Beneath the stroke of death he linger long ;
But swift, with easy steps, descend to Styx's drear
abode ;
For he hath led a life of toil and pain ;
May the just gods repay his undeserved woe.

The audience was the same in both plays.
Did they think Oedipus to be guilty in
the one play, and innocent in the other ?
If they did not, how could both plays be
relished ? if they did, they must have been
grossly stupid.

The statues of a Roman Emperor were
held so sacred, that to treat them with any
contempt

contempt was high treason. This ridiculous opinion was carried so far out of common sense, that a man was held guilty of high treason, if a stone thrown by him happened accidentally to touch one of these statues. And the law continued in force till abrogated by a rescript of Severus Antoninus (*a*).

In England, so little was intention regarded, that casual homicide, and even homicide in self-defence, were capitally punished. It requires strong evidence to vouch so absurd a law; and I have the strongest, viz. the act 52^o Henry III. cap. 26. converting the capital punishment into a forfeiture of moveables. The same absurdity continued much longer to be law in Scotland. By act 19. parl. 1649, renewed act 22. parl. 1661, the capital punishment is converted to imprisonment, or a fine to the wife and children. In a period so late as the Restoration, strange blindness it was not to be sensible, that homicide in self-defence, being a lawful act justified by the strictest rules of morality, subjects not a man to punishment,

(*a*) l. 5. ad leg. Jul. Majest.

more than the defending his property against a robber; and that casual homicide, meaning homicide committed innocently without ill intention, may subject him to reparation, but never to any punishment, mild or severe.

The Jesuits in their doctrines seem to rest on the external act, disregarding intention. It is with them a matter of perfect indifference, from what motive men obey the laws of God; consequently that the service of those who obey from fear of punishment, is no less acceptable to the Deity, than of those who obey from a principle of love.

The other error mentioned above, is, That the end justifies the means. In defence of that proposition, it is urged, that the character of the means is derived from the end; that every action must be right which contributes to a good end; and that every action must be wrong which contributes to an ill end. According to this reasoning, it is right to assassinate a man who is a declared or concealed enemy to his country. It is right to rob a rich man in order to relieve a person in want. What becomes then of property,

property, which by all is held inviolable? It is totally unhinged. The proposition then is untenible as far as light can be drawn from reason. At the same time, the tribunal of reason may be justly declined in this case. Reason is the only touchstone of truth and falsehood: but the moral sense is the only touchstone of right and wrong. And to maintain, that the qualities of right and wrong are discoverable by reason, is no less absurd than that truth and falsehood are discoverable by the moral sense. The moral sense dictates, that on no pretext whatever it is lawful to do an act of injustice, or any wrong (a): and men, conscious that the moral sense governs in matters of right and wrong, submit implicitly to its dictates. Influenced however by the reasoning mentioned, men, during the nonage of the moral sense, did wrong currently in order to bring about a good end; witness pretended miracles and forged writings, urged without reserve by every sect of Christians against their antagonists. And I am sorry to observe, that the error is not entirely eradicated.

(a) See the first part of this Sketch, Sect. 3. at the end.

cated: missionaries employed in converting infidels to the true faith, are little scrupulous about the means: they make no difficulty to feign prodigies in order to convert those who are not moved by argument. Such pious frauds tend to sap the very foundations of morality.

SKETCH

S K E T C H III.

Principles and Progress of Theology.

AS no other science can vie with theology, either in dignity or importance, it justly claims to be a favourite study with every person endued with true taste and solid judgement. From the time that writing was invented, natural religion has employ'd pens without number; and yet in no language is there found a connected history of it. The present work will only admit a slight sketch: which I shall glory in, however imperfect, if it excite any one of superior talents to undertake a complete history.

C H A P.

C H A P. I.

Existence of a Deity.

THAT there exist beings, one or many, powerful above the human race, is a proposition universally admitted as true, in all ages, and among all nations. I boldly call it universal, notwithstanding what is reported of some gross savages; for reports that contradict what is acknowledged to be general among men, require more able vouchers than a few illiterate voyagers. Among many savage tribes, there are no words but for objects of external sense: is it surprising, that such people are incapable to express their religious perceptions, or any perception of internal sense? and from their silence can it be fairly presumed, that they have no such perception? *

The

* In the language even of Peru, there is not a word for expressing an abstract idea, such as *time*, *endurance*, *force*, *existence*, *substance*, *matter*, *body*. It is no less defective in expressing moral ideas, such

The conviction that men have of superior powers in every country where there are words to express it, is so well vouched, that in fair reasoning it ought to be taken for granted among the few tribes where language is deficient. Even the grossest idolatry affords evidence of that conviction. No nation can be so brutish as to worship a stock or a stone, merely as such: the visible object is always imagined to be connected with some invisible power; and the worship paid to the former, is as representing the latter, or as in some manner connected with it. Every family among the ancient Lithuanians, entertained a real serpent as a household god; and the same practice is at present universal among the negroes in the kingdom of Whidah: it is not the serpent that is worshipped, but some deity imagined to reside in it. The ancient Egyptians were not idiots, to pay divine honours to a bull or a cat,

as *virtue, justice, gratitude, liberty*. The Yameos, a tribe on the river Oroonoko described by Condamine, use the word *poettarraroincoursac* to express the number three, and have no word for a greater number. The Brazilian language is nearly as barren.

as such : the divine honours were paid to a deity, as residing in these animals. The sun is to man a familiar object : being frequently obscured by clouds, and totally eclipsed during night, a savage naturally conceives it to be a great fire, sometimes flaming bright, sometimes obscured, and sometimes extinguished. Whence then sun-worship, once universal among savages ? Plainly from the same cause : it is not properly the sun that is worshipped, but a deity who is supposed to dwell in that luminary. .

Taking it then for granted, that our conviction of superior powers has been long universal, the important question is, From what cause it proceeds. A conviction so universal and so permanent, cannot proceed from chance ; but must have a cause operating constantly and invariably upon all men in all ages. Philosophers, who believe the world to be eternal and self-existent, and imagine it to be the only deity tho' without intelligence,* endeavour to account for our conviction of superior powers, from the terror that thunder and other elementary convulsions raise in savages ; and thence conclude that
such

such belief is no evidence of a deity. Thus
Lucretius,

Præterea, cui non animus formidine divum
Contrahitur ? cui non conripunt membra pavore,
Fulminis horribili cum plaga torrida tellus
Continent, et magnum percurrunt murmura
cælum * (a) ?

And Petronius Arbiter,

Primus in orbe deos fecit timor : ardua cælo
Fulmina quum caderent discussaque mœnia flam-
mis,
Atque ictus flagraret Athos †.

It will readily be yielded to these gentle-
men, that savages, grossly ignorant of
causes and effects, are apt to take fright
at every unusual appearance, and to think
that some malignant being is the cause.

- What man can boast that firm undaunted soul,
That hears, unmov'd, when thunder shakes the
pole ;
Nor shrinks with fear of an offended pow'r,
When lightnings flash, and storms and tempests
roar ?

- † When dread convulsions rock'd the lab'ring earth,
And livid clouds first gave the thunder birth,
Instinctive fear within the human breast
'The first ideas of a God impress'd.

(a) Lib. 5.

B b 2

And

And if they mean only, that the first perception of deity among savages is occasioned by fear, I heartily subscribe to their opinion. But if they mean, that such perceptions proceed from fear solely, without having any other cause, I wish to be informed from what source is derived the belief we have of benevolent deities. Fear cannot be the source: and it will be seen anon, that tho' malevolent deities were first recognised among savages, yet that in the progress of society, the existence of benevolent deities was universally believed. The fact is certain; and therefore fear is not the sole cause of our believing the existence of superior beings.

It is beside to me evident, that the belief even of malevolent deities, once universal among all the tribes of men, cannot be accounted for from fear solely. I observe, first, That there are many men, to whom an eclipse, an earthquake, and even thunder, are unknown: Egypt, in particular, tho' the country of superstition, is little or not at all acquainted with the two latter; and in Peru, tho' its government was a theocracy, thunder is not known. Nor do such appearances strike
terror

terror into every one who is acquainted with them. The universality of the belief, must then have some cause more universal than fear. I observe next, That if the belief were founded solely on fear, it would die away gradually as men improve in the knowledge of causes and effects: instruct a savage, that thunder, an eclipse, an earthquake, proceed from natural causes, and are not threatenings of an incensed deity; his fear of malevolent beings will vanish; and with it his belief in them, if founded solely on fear. Yet the direct contrary is true: in proportion as the human understanding ripens, our conviction of superior powers, or of a Deity, turns more and more firm and authoritative; which will be made evident in the chapter immediately following.

Philosophers of more enlarged views and of deeper penetration, may be inclined to think, that the operations of nature and the government of this world, which loudly proclaim a Deity, may be sufficient to account for the universal belief of superior powers. And to give due weight to the argument, I shall relate a conversation between a Greenlander and a Danish missionary,

tionary, mentioned by Crantz in his history of Greenland. "It is true," says the Greenlander, "we were ignorant of Heathens, and knew little of a God, till you came. But you must not imagine, that no Greenlander thinks about these things. A kajak (*a*), with all its tackle and implements, cannot exist but by the labour of man; and one who does not understand it, would spoil it. But the meanest bird requires more skill than the best kajak; and no man can make a bird. There is still more skill required to make a man: by whom then was he made? He proceeded from his parents, and they from their parents. But some must have been the first parents: whence did they proceed? Common report says, that they grew out of the earth: if so, why do not men still grow out of the earth? And from whence came the earth itself, the sun, the moon, the stars? Certainly there must be some being who made all these things, a being more wise than the wisest man." The reasoning here from effects to their causes is stated with great precision; and

(*a*) A Greenland boat.

“ question them about their worship before they embraced Christianity. They said, that they had an idol hung upon a tree, before which they prostrated themselves, raising their eyes to heaven, and howling with a loud voice. They could not explain what they meant by howling ; but only, that every man howled in his own fashion. Being interrogated, Whether, in raising their eyes to heaven, they knew that a god is there, who sees all the actions, and even the thoughts of men ; they answered simply, That heaven is too far above them to know whether a god be there or not ; and that they had no care but to provide meat and drink. Another question being put, Whether they had not more satisfaction in worshipping the living God, than they formerly had in the darkness of idolatry ; they answered, We see no great difference, and we do not break our heads about such matters.” Judge how little capable such ignorant savages are, to reason from effects to their causes, and to trace a Deity from the operations of nature. It may be added with great certainty, that could they be made

made in any degree to conceive such reasoning, yet so weak and obscure would their conviction be, as to rest there without moving them to any sort of worship; which however among savages goes hand in hand with the conviction of superior powers.

If fear be a cause altogether insufficient for our conviction of a Deity, universal among all tribes; and if reasoning from effects to their causes can have no influence upon ignorant savages; what other cause is there to be laid hold of? One still remains, and imagination cannot figure another: to make this conviction universal, the image of the Deity must be stamp'd upon the mind of every human being, the ignorant equally with the knowing: nothing less is sufficient. And the original perception we have of Deity, must proceed from an internal sense, which may be termed the *sense of Deity*.

Included in the sense of Deity, is the duty we are under to worship him. And to enforce that duty, the principle of devotion is made a part of our nature. All men accordingly agree in worshipping superior beings, however they may differ

in the mode of worship. And the universality of such worship, proves devotion to be an innate principle*.

The perception we have of being accountable agents, arises from another branch of the sense of Deity. We expect approbation from the Deity when we do right; and dread punishment from him when guilty of any wrong; not excepting the most occult crimes, hid from every mortal eye. From what cause can dread proceed in that case; but from conviction of a superior being, avenger of wrongs? The dread, when immoderate, disorders the mind, and makes every unusual misfortune pass for a punishment inflicted by an invisible hand. “ And they said one “ to another, We are verily guilty concerning our brother, in that we saw “ the anguish of his soul, when he besought us, and we would not hear: “ therefore is this distress come upon us. “ And Reuben answered them, saying, “ Spake I not unto you, saying, Do not

* See this principle beautifully explained and illustrated in a sermon upon the love of God, by Doctor Butler Bishop of Durham, a writer of the first rank.

“ sin against the child; and ye would not
 “ hear? therefore behold also his blood
 “ is required (a).” Alphonfus King of
 Naples, was a cruel and tyrannical prince.
 He drove his people to despair with op-
 pressive taxes, treacherously assassinated
 several of his barons, and loaded others
 with chains. During prosperity, his con-
 science gave him little disquiet; but in
 adversity, his crimes star’d him in the
 face, and made him believe that his dis-
 tresses proceeded from the hand of God,
 as a just punishment. He was terrified to
 distraction, when Charles VIII. of France
 approached with a numerous army: he
 deserted his kingdom; and fled to hide
 himself from the face of God and of man.

But admitting a sense of Deity, is it e-
 vidence to us that a Deity actually exists?
 It is complete evidence. So framed is
 man as to rely on the evidence of his
 senses (b); which evidence he may reject
 in words; but he cannot reject in thought,
 whatever bias he may have to scepticism.
 And experience confirms our belief; for

(a) Genesis, xlii. 21. 22.

(b) See *Essays on Morality and Natural Religion*,
 part 2. sect. 3.

our senses, when in order, never deceive us.

The foregoing sense of Deity is not the only evidence we have of his existence: there is additional evidence from other branches of our nature. Inherent in the nature of man are two passions, devotion to an invisible Being, and dread of punishment from him, when one is guilty of any crime. These passions would be idle and absurd, were there no Deity to be worshipped or to be dreaded. Man makes a capital figure; and is the most perfect being that inhabits this earth: and yet were he endued with passions or principles that have no end nor purpose, he would be the most irregular and absurd of all Beings. These passions both of them, direct us to a Deity, and afford us irresistible evidence of his existence.

Thus our Maker has revealed himself to us, in a way perfectly analogous to our nature: in the mind of every human creature, he has lighted up a lamp, which renders him visible even to the weakest sight. Nor ought it to escape observation, that here, as in every other case, the conduct of Providence to man, is uniform. It
leaves

leaves him to be directed by reason, where liberty of choice is permitted; but in matters of duty, he is provided with guides less fallible than reason: in performing his duty to man, he is guided by the moral sense; in performing his duty to God, he is guided by the sense of Deity. In these mirrors, he perceives his duty intuitively.

It is no slight support to this doctrine, that if there really be a Deity, it is highly presumable, that he will reveal himself to man, fitted by nature to adore and worship him. To other animals, the knowledge of a Deity is of no importance: to man, it is of high importance. Were we totally ignorant of a Deity, this world would appear to us a mere chaos: under the government of a wise and benevolent Deity, chance is excluded; and every event appears to be the result of established laws: good men submit to whatever happens, without repining; knowing that every event is ordered by divine Providence: they submit with entire resignation; and such resignation is a sovereign balm for every misfortune.

The

The sense of Deity resembles our other senses, which are quiescent till a proper object be presented. When all is silent about us, the sense of hearing lies dormant; and if from infancy a man were confined to a dark room, he would be as ignorant of his sense of seeing, as one born blind. Among savages, the objects that rouse the sense of Deity, are uncommon events above the power of man. A savage, if acquainted with no events but what are familiar, has no perception of superior powers; but a sudden eclipse of the sun, thunder rattling in his ears, or the convulsion of an earthquake, rouses his sense of Deity, and directs him to some superior being as the cause of these dreadful effects. The savage, it is true, errs in ascribing to the immediate operation of a Deity, things that have a natural cause: his error however is evidence that he has a sense of Deity, no less pregnant, than when he more justly attributes to the immediate operation of Deity, the formation of man, of this earth, of all the world.

The sense of Deity, like the moral sense, makes no capital figure among savages; the perceptions of both senses being in them

them faint and obscure. But in the progress of nations to maturity, these senses become more and more vigorous, so as among enlightened nations to acquire a commanding influence; leaving no doubt about right and wrong, and as little about the existence of a Deity.

The obscurity of the sense of Deity among savages, has encouraged some sceptical philosophers to deny its existence. It has been urged, That God does nothing by halves; and that if he had intended to make himself known to men, he would have afforded them conviction equal to that from seeing or hearing. When we argue thus about the purposes of the Almighty, we tread on slippery ground, where we seldom fail to stumble. What if it be the purpose of the Deity, to afford us but an obscure glimpse of his being and attributes? We have reason from analogy to conjecture, that this may be the case. From some particulars mentioned above (*a*), it appears at least probable, that entire submission to the moral sense, would be ill-suited to man in his present state; and would prove more hurtful than

(*a*) Book 2. sketch 1.

beneficial,

beneficial. And to me it appears evident, that to be conscious of the presence of the Great God, as I am of a friend whom I hold by the hand, would be inconsistent with the part that Providence has destined me to act in this life. Reflect only on the restraint one is under, in presence of a superior, suppose the King himself: how much greater our restraint, with the same lively impression of God's awful presence! Humility and veneration would leave no room for other passions: man would be no longer man; and the system of our present state would be totally subverted. Add another reason: Such a conviction of future rewards and punishments as to overcome every inordinate desire, would reduce us to the condition of a traveller in a paltry inn, having no wish but for day-light to prosecute his journey. For that very reason, it appears evidently the plan of Providence, that we should have but an obscure glimpse of futurity. As the same plan of Providence is visible in all, I conclude with assurance, that a certain degree of obscurity, weighs nothing against the sense of Deity, more than against the moral sense, or against a future state

state of rewards and punishments. Whether all men might not have been made angels, and whether more happiness might not have resulted from a different system, lie far beyond the reach of human knowledge. From what is known of the conduct of Providence, we have reason to presume, that our present state is the result of wisdom and benevolence. So much we know with certainty, that the sense we have of Deity and of moral duty, correspond accurately to the nature of man as an imperfect being; and that these senses, were they absolutely perfect, would convert him into a very different being.

A doctrine espoused by several writers ancient and modern, pretends to compose the world without a Deity; that the world, composed of animals, vegetables, and brute matter, is self-existent and eternal; and that all events happen by a necessary chain of causes and effects. It will occur even at first view, that this theory is at least improbable: can any supposition be more improbable than that the great work of planning and executing this universe, beautiful in all its parts, and bound together by the most perfect laws, should be a

blind work, performed without intelligence or contrivance? It would therefore be a sufficient answer to observe, that this doctrine, though highly improbable, is however given to the public, like a foundling, without cover or support. But affirmatively I urge, that it is fundamentally overturned by the knowledge we derive of Deity from our own nature: if a Deity exist, self-existence must be his peculiar attribute; and we cannot hesitate in rejecting the supposition of a self-existent world, when it is so natural to suppose that the whole is the operation of a self-existent Being, whose power and wisdom are adequate to that great work. I add, that this rational doctrine is eminently supported from contemplating the endless number of wise and benevolent effects, display'd every where on the face of this globe; which afford complete evidence of a wise and benevolent cause. As these effects are far above the power of man, we necessarily ascribe them to a superior Being, or in other words to the Deity (a).

Some philosophers there are, not indeed so hardened in scepticism as to deny the

(a) First sketch of this third book, sect. 1.

existence

existence of a Deity : They acknowledge a self-existent Being ; and seem willing to bestow on that Being power, wisdom, and every other perfection. But then they maintain, that the world, or matter at least, must also be self-existent. Their argument is, that *ex nihilo nihil fit*, that it is inconsistent for any thing to be made out of nothing, out of a *nonens*. To consider nothing or a *nonens* as a material or substance out of which things can be formed, like a statue out of stone or a sword out of iron, is I acknowledge a gross absurdity. But I perceive no absurdity nor inconsistency in supposing that matter was brought into existence by Almighty power ; and the popular expression, that God made the world out of nothing, has no other meaning. It is true, that in the operations of men nothing can be produced but from antecedent materials ; and so accustomed are we to such operations, as not readily to conceive how a thing can be brought into existence without antecedent materials, or made out of nothing, as commonly expressed. But will any man in sober sense venture to set bounds to Almighty power, where he cannot point out a clear incon-

sistence? It is indeed difficult to conceive a thing so remote from common apprehension; but is there less difficulty in conceiving matter to exist without a cause, and to be intitled to the awful appellation of self-existent, like the Lord of the Universe, to whom a more exalted appellation cannot be given? Now, if it be within the utmost verge of possibility for matter to have been created, I conclude with the highest probability, that it owes its existence to Almighty power. The necessity of one self-existent being is intuitively certain; but I perceive no necessity, nor indeed probability, that there should be more than one. Difficulties about the creation of matter, testify our ignorance; but to argue from our ignorance that a thing cannot be, has always been held very weak reasoning. Our faculties are adapted to our present state, and perform their office in perfection. But to complain that they do not reach the origin of things, is no less absurd than to complain that we cannot ascend to the moon in order to be acquainted with its inhabitants. At the same time, it is a comfortable reflection, that the question, whether matter was created or no, is

C H A P. II.

Progress of Opinions with respect to Deity.

THE sense of Deity, like many other delicate senses, is in savages so faint and obscure as easily to be biassed from truth. Among them, the belief of many superior beings, is universal. And two causes join to produce that belief. The first is, that being accustomed to a plurality of visible objects, men, mountains, trees, cattle, and such like, they are naturally led to imagine a like plurality in things not visible; and from that slight bias, slight indeed but natural, is partly derived the system of Polytheism, universal among savages. The other is, that savages know little of the connection between causes and effects, and still less of the order and government of the world: every event that is not familiar, appears to them singular and extraordinary; and if such event exceed human power, it is without

without hesitation ascribed to a superior being. But as it occurs not to a savage, nor to any person who is not a philosopher, that the many various events exceeding human power and seemingly unconnected, may all proceed from the same cause; they are readily ascribed to different beings. Pliny ascribes Polytheism to the consciousness men have of their imbecillity: "Our powers are confined within narrow bounds: we do not readily conceive powers in the Deity much more extensive: and we supply by number what is wanting in power*." Polytheism, thus founded, is the first stage in the progress of theology; for it is embraced by the rudest savages, who have neither capacity nor inclination to pierce deeper into the nature of things.

This stage is distinguishable from others, by a belief that all superior beings are malevolent. Man, by nature weak and helpless, is prone to fear, dreading

* Plurality of heads or of hands in one idol, is sometimes made to supply plurality of different idols. Hence among savages the grotesque figure of some of their idols.

every new object and every unusual event. Savages, having no protection against storms, tempests, nor other external accidents, and having no pleasures but in gratifying hunger, thirst, and animal love; have much to fear, and little to hope. In that disconsolate condition, they attribute the bulk of their distresses to invisible beings, who in their opinion must be malevolent. This seems to have been the opinion of the Greeks in the days of Solon; as appears in a conversation between him and Cræsus King of Lydia, mentioned by Herodotus in the first book of his history. "Cræsus, said Solon, you ask me about human affairs; and I answer as one who thinks, that all the gods are envious and disturbers of mankind." The negroes on the coast of Guinea, dread their deities as tyrants and oppressors: having no conception of a good deity, they attribute the few blessings they receive, to the soil, to the rivers, to the trees, and to the plants. The Lithuanians continued Pagans down to the fourteenth century; and worshipped in gloomy woods, where their deities were held to reside. Their worship probably was prompted by fear,

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